



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 131] Srinagar, Thu., the 14th June, 2018/24th Jyai., 1940. [No. 11

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PART I-A

Jammu & Kashmir Government—Orders

HIGH COURT OF JAMMU AND KASHMIR AT JAMMU
(Exercising powers of Bar Council under section 58 of the
Advocates Act, 1961).

Notification

No. 06 Dated 05-04-2018.

It is hereby notified that vide High Court order dated 27-03-2018, Ms. Anam Fatima D/o Ali Asghar R/o H. No. 732, Raput ground near D. P. S. Shahidi Chowk, Jammu has been admitted and enrolled as an Advocate on the rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-302/2018 in the roll of Advocate maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

(Sd.) AFTAB AHMED,

Deputy Registrar.

HIGH COURT OF JAMMU AND KASHMIR AT JAMMU
(Exercising powers of Bar Council under section 58 of the
Advocates Act, 1961).

Notification

No. 1452 Dated 29-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Shivan Mahajan S/o Dr. Anil Mahajan

R/o H. No. 117, Kachi Chowani, Jammu vide Notification No. 855 dated 19-12-2014 has been declared as absolute/final after condonation of delay.

By order.

Notification

No. 1452-A Dated 24-01-2018.

Provisional admission as an Advocate granted under Advocates Act, 1961 in favour of Mr. Arvind Singh Bandral S/o Jagit Singh Bandral R/o F-34, Street No. 6, Suraj Nagar Talab Tillo, Jammu vide Notification No. 67 dated 10-06-2010 has been declared as absolute/final after condonation of delay.

By order.

Notification

No. 1453 Dated 29-01-2018.

Provisional admission as an Advocate granted under Advocates Act, 1961 in favour of Mr. Javeed Ahmad Lone S/o Abdul Rehman Lone R/o Hardo Mallapora, Beerwah Budgam vide Notification No. 931 dated 23-12-2014 has been declared as absolute/final after condonation of delay.

By order.

Notification

No. 1453-A Dated 24-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Mir Younus Rashid S/o Ab. Rashid Mir R/o Katran-Bumthan

(Mir Bazar), Anantnag vide Notification No. 826-A dated 24-12-2013 for a period of one year has been extended till 24-06-2018 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered there before.

Notification

No. 1454 Dated 29-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Shivani Mathur D/o Krishan Lal Mathur R/o House No. 53 Near BPO Office Kallar, Udhampur vide Notification No. 895 dated 22-12-2014 for a period of one year has been extended till 22-12-2018 after condonation of delay and subject to the verification of her Certificates/LL.B Degree from the concerned University and verification of her character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered there before.

Notification

No. 1454-A Dated 24-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Zahid Ahmed S/o Ghulam Mohd. R/o Seri Khawaja, Tehsil and District Poonch vide Notification No. 922 dated 23-12-2014 has been declared as absolute/final after condonation of delay.

By order.

Notification

No. 1455 Dated 24-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Asheel Kumar S/o Hans Raj R/o Bhagyana P/O Ballana, Doda A/P Bhadwarhi Colony, Water Point Udhampur vide Notification No. 877 dated 15-02-2016 for a period of one year has been extended till 15-06-2018 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered there before.

Notification

No. 1455-A Dated 29-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Muneer Ahmad Rather D/o Mohammad Yousuf Rather R/o Lallo Sheshgari Bagh, Hyderpora, Tehsil Chanapora, District Srinagar vide Notification No. 609 dated 01-12-2015 has been declared as absolute/final after condonation of delay.

By order.

Notification

No. 1456 Dated 29-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Sajad Ahmad S/o Mehbullah R/o Uri, District Baramulla vide Notification No. 858 dated 19-12-2014 has been declared as absolute/final after condonation of delay.

By order.

Notification

No. 1456-A Dated 24-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Shivangi Nischal D/o Sunil Kumar R/o H. No. 78, Partap Garh, Raghunath Bazar, Jammu vide Notification No. 683 dated 29-12-2015 for a period of one year has been extended till 29-06-2018 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered there before.

Notification

No. 1457 Dated 24-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Parwan Kumar S/o Som Nath R/o Rajpora Samba vide Notification No. 392 dated 05-10-2015 has been declared as absolute/final after condonation of delay.

By order.

Notification

No. 1457-A Dated 29-01-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Sarfaraz Ali S/o Abdul Rashid R/o Ward No. 2, Gujjar Mandi, District Rajouri vide Notification No. 659 dated 29-12-2015 has been declared as absolute/final after condonation of delay.

By order.

Notification

No. 1458 Dated 29-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Rabia Khursheed D/o Khursheed Ahmad Baba R/o Sheeri Baramulla vide Notification No. 536 dated 13-10-2014 for a period of one year has been extended till 13-10-2018 after condonation of delay and subject to the verification of her Certificates/LL.B Degree from the concerned University and verification of her character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered there before.

Notification

No. 1458-A Dated 24-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Deepmala D/o Kuldeep Singh R/o Arnia, Kool Kalan Bishnah, Jammu vide Notification No. 24 dated 18-04-2015 for a period of one year has been extended till 18-04-2018 after condonation of delay and subject to the verification of her Certificates/LL.B Degree from the concerned University and verification of her character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered there before.

Notification

No. 1459 Dated 29-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Nidhi Sharma D/o Madan Gopal Sharma R/o H. No. 84, Sec. 14,

Nanak Nagar, Jammu vide Notification No. 1394 dated 30-03-2015 for a period of one year has been extended till 30-06-2018 after condonation of delay and subject to the verification of her Certificates/LL.B Degree from the concerned University and verification of her character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered there before.

Notification

No. 1459-A Dated 24-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Sadiya Razak D/o Ab. Razak Dar R/o Omer Abad, Lane-4, Sec.-4C, Zainakot, (HMT), Srinagar vide Notification No. 403 dated 04-09-2013 for a period of one year has been extended till 04-09-2018 after condonation of delay and subject to the verification of her Certificates/LL.B Degree from the concerned University and verification of her character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered there before.

Notification

No. 1460 Dated 29-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Ms. Ananta Sharma D/o Kulbhushan Kumar Sharma R/o H. No. 74, Mohalla Afgana, Pacca Danga, Jammu vide Notification No. 1193 dated 24-02-2015 for a period of one year has been extended till 24-06-2018 after condonation of delay and subject to the verification of

her Certificates/LL.B Degree from the concerned University and verification of her character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered there before.

Notification

No. 1460-A Dated 24-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Faisal Hassan S/o Ghulam Hassan Dar R/o Palhalan, Pattan, District Baramulla vide Notification No. 416 dated 04-09-2013 for a period of one year has been extended till 04-09-2018 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered there before.

Notification

No. 1461 Dated 29-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Kapil Gandhi S/o Raminder Lal R/o Village Purkhu P/O Domana, Jammu vide Notification No. 682 dated 29-12-2015 for a period of one year has been extended till 29-06-2018 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered there before.

Notification

No. 1461-A Dated 24-01-2018.

Provisional admission granted under Advocates Act, 1961 in favour of Mr. Tawseef Ahmad Sheikh S/o Mohd. Rafiq Sheikh R/o Shigenpora, District Kulgam vide Notification No. 747 dated 15-11-2014 for a period of one year has been extended till 15-06-2018 after condonation of delay and subject to the verification of his Certificates/LL.B Degree from the concerned University and verification of his character and antecedents from the CID.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered there before.

(Sd.) MOHAMMAD YASIN BEIGH,
Joint Registrar (Admn.).



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Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT—GENERAL ADMINISTRATION
DEPARTMENT.

Subject :—Guidelines on the usage of social media by Government
Employees.

Government Order No. 1646—GAD of 2017

Dated 26—12—2017.

Sanction is hereby accorded to the notification of the guidelines, forming
annexure to this order, on the use of social media by Government Employees.

By order of the Government of Jammu and Kashmir.

(Sd.) KHURSHID AHMAD, IAS,
Commissioner/Secretary to the Government.

GUIDLINES ON THE USAGE OF SOCIAL MEDIA BY THE GOVERNMENT EMPLOYEES

I. INTRODUCTION :

The advent of social media is transforming the way in which people connect with each other and the manner in which information is shared and distributed. It is different from traditional media such as print, radio and television in two significant ways-first, the amount of content that can be generated by the users themselves for exceeds the content generated by news/opinion makers and second, its “viral” ability for potential exponential spread of information and inter-linking of the various social media platforms, thereby considerably reducing the control over spread of any such information.

This policy aims at providing guidance on the correct use of social media by Government employees, thereby putting a check on information flow on the social media that employees share with others which happens in a contemporaneous manner. In the context of Rule 13(3) of the J&K Government Employees (Conduct) Rules, 1971, it has been considered necessary to issue guidelines for their strict adherence by the constituents of the Government.

II. DEFINITIONS :

- (a) **“Government”** means the Government of Jammu and Kashmir.
- (b) **“Government employee”** and **“Employee”** means any person appointed to any civil service or post in connection with the affairs of the State. A Government employee whose services are placed at the disposal of a company, corporation, organisation or a local authority by the Government, shall also be deemed to be a Government employee serving under the Government.
- (c) **“Social Media”** means social networking sites such as Facebook or Microblogging sites such as Twitter. However, very

broadly, social media shall include any web or mobile-based platform that enables an individual or agency to communicate interactively and enables exchange of user generated content.

- (d) **“Social media content”** means and includes any material, documents, photographs, graphics and other information that is created, posted, distributed or transmitted using social media internet sites or social media tools.
- (e) **“Law Enforcement Agencies”** means the department which shall be entrusted with the monitoring of the social media activity of the Government employees.
- (f) **“Department”** means the wing of the Government of Jammu and Kashmir to which the employee belongs.

III. FRAMEWORK OF THE POLICY :

The document provides a framework regarding the use of social media by the Government employees and detailed guidelines governing each element of the framework. These elements of the policy will help a Government employee to use social media in conformity with the applicable Conduct Rules and Civil Service Rules. Briefly, the elements of the framework and associated guidelines are given below :—

The framework comprises the following elements :—

- * **Objective**—the need for guidelines to use social media.
- * **Scope**—social media platforms covered under the guidelines.
- * **Acceptable use**—guidelines on how employees are expected to use social media.
- * **Employee conduct**—expectations for employees’ conduct on social media sites.
- * **Content**—type of content which can be posted on social media and what needs to be avoided.

- * **Security**—security guidelines.
- * **Legal issues**—legal considerations, service and conduct rules.
- * **Official use of social media**—procedures for creation, maintenance and destruction of social media accounts for official use.

IV. OBJECTIVE : NEED FOR GUIDELINES :

The progressive increase in the use of social media among the Government employees and its consequent impact have made it necessary to notify these guidelines on the use and the type of information that can be shared by the user over various platforms. There have been incidents in which the employees have vented their work stress on the social media, thereby creating unwanted issues for the administration. Such acts lead to breach of discipline contrary to what is expected of Government employees in the course of maintaining a reasonable and decent conduct in their personal lives, thereby staying clear of any disgrace to their service(s). These guidelines have been framed to make a distinction between the professional and personal lives of Government employees and making them aware of the following :—

- * Employees need to know and adhere to the various rules and regulations that exist while using social media.
- * Employees should be aware of the effect their actions may have on their image as well as that of their departments. The information that they post or publish may remain public for a long time.
- * Employees should be aware that the law enforcement agencies will observe content and information made available by them through social media. They should use their best judgment in posting material that is neither inappropriate nor harmful to the State.

V. SCOPE :

The social media policy covers wide social media platforms which are currently in use and the detailed explanation of the various types covered under the policy is tabulated as under :—

Platform	Description
Social Networking	Social Networking is an online service that enables its users to create virtual networks with like-minded people akin to social networks in real life. It often offers facilities such as chat, instant messaging, photo sharing, updates, etc. Currently, social networking sites are the most prominent version of social media. Facebook, with 800 million users, is one of the most well known social networking sites.
Blogs	Blogs are descriptive contents pages created and maintained by individual users and may contain text, photos and links to other websites. The main interactive feature of blogs is the ability of readers to leave comments and the comment trail can be followed.
Micro-blogs	Micro-blogs are similar to blogs with a typical restriction of 140 characters or less which allows users to write and share content. Twitter is the most well know micro-blogging site.
Vlogs & Video sharing sites	Video-blogs or Vlogs are blogging sites that mainly use video as the main form of content supported by text. Youtube is the largest video sharing site.
Wikis	A wiki is a collaborative website that allows multiple users to create and update pages on particular or interlinked subject. While single page is referred

to as “wiki page” the entire related content on that topic is called “wiki” wikipedia is the pioneering site of this type of platform.

VI. ACCEPTABLE USE :

Acceptable use defines the use of social media by the Government employees which is permitted by this policy. The exercise of sound judgment and an awareness of the acceptable use will go a long way towards avoiding problems during the use of social media. The guidelines are as follows :—

- * **Use of title and email address :** Employees may use their official title and department affiliation on their personal social media page for professional identification or biographic data as long as they do not create an impression that they are communicating in an official capacity. Employees should not use their Government/official email addresses when setting up personal social media accounts.
- * **Communicating in personal capacity :** Employees must avoid stating, implying, or creating the impression that they are communicating in an official capacity on behalf of the department in their personal social media activities.
- * **Work or department related posts :** Employees must not post, comment or share public information on matters related to their work or the work of the department but must properly safeguard privileged, confidential, classified, privacy protected and/or sensitive departmental information. Moreover, they shall not tweet, retweet or share any electronic transmission.
- * **Online discussions :** Employees should not engage in discussion on the social media by way of tweets, status updates, posts or blogs which are political in nature or on contentious issues that are violative of the applicable conduct rules. Employees must not post, update, share or promote any status or post that

may be contentious or has the potential to create governance or law and order issues or are seen to propagate anything which is anti-social, anti-national or illegal.

- * **Discrimination and harassment :** Employees should not use social media to engage in harassing or discriminatory conduct towards other employees (or individuals or groups) based on their race, color, religion, national origin, sex, gender identity, age, disability (physical or mental), genetic information, status as a parent, sexual orientation, marital status and/or political affiliation.
- * **Anonymous and pseudonymous postings :** Employees should take care not to engage in any activity on social media that they otherwise would not be permitted to engage in if their identity was known. The applicable rules and standards of conduct apply equally whether an employee uses social media anonymously (or using a pseudonym) or while being properly identified.

VII. EMPLOYEE CONDUCT :

The Government employees should remain aware that, even though there are new ways to connect with the World, existing policies, rules and regulations are still implicated when communicating on social media. They should also recognize that they have responsibilities under the applicable rules of professional conduct and should consult those rules when considering a particular communication. It is important to note that while vastly accelerating the speed of communication and greatly broadening the size of the audience, the advent of social media neither restricts nor expands the existing limitations on employees speech. This policy may restrict the speech of its employees when employees are speaking on matters of public concern or when the Government's interest in maintaining law and order outweigh its employees interest of freedom of speech.

It is also intended to educate and remind the employees about the limitations in their communications that is derived from their status as Government employee. While the focus of this policy is to provide guidance for communications made on social media, Government employees should recognize that the standards and rules of appropriate professional conduct enacted by the Government from time to time are not limited to conduct in office only but also includes internet or electronic communications but rather apply to any public communication, whether written or oral.

The following restrictions apply to the conduct of the employees and any violation may lead to departmental action :—

- * **Ethical standards :** Employees shall not engage in criminal, infamous, dishonest, immoral or notoriously disgraceful conduct or other conduct on social media prejudicial to the Government.
- * **Misuse of position :** Employees shall not use their social media accounts for endorsement of any product, service or enterprise or for the private gain of friends, relatives or other acquaintances or their own. Also, the employees shall not use their accounts in a manner that could reasonably be construed to imply that the Government endorses or sanctions their personal activities.
- * **Political activity :** All Government employees shall not use their personal social media accounts for any political activity or endorsing the posts or tweets or blogs of any political figure.
- * **Internet trolling :** All employees on social media need to exhibit decent and reasonable behaviour and must not be part of trolling on social media i. e. not to sow discord on the internet by starting arguments or upsetting people, by posting inflammatory, extraneous or off-topic messages in an online community (such as a news-group, forum, chat room, or blog) with the intent of provoking readers into an emotional response or of otherwise disrupting normal, on topic discussion.

VIII. CONTENT :

Considering that there is no privacy on social media, any unwanted

material posted on it can remain alive for years together due to capability of social media of making it viral. There is a need to make the employees aware about the type of content posting that should be avoided during their social media activity. The guidelines in this regard are enumerated below :—

- * Employees directly or indirectly will not publish, post or release any information on social media that is considered confidential or not public or any official document or any part thereof or information to any Government employee or any other person to whom he is not authorised to communicate such document or information.
- * No Government employee through any post, tweet or otherwise discuss or criticise on social media any policy pursued or action taken by the Government nor shall he in any manner participate in any such discussion or criticism that takes place on social media pages/communities or on microblogs.
- * No Government employee shall post, tweet or share content that is political or anti-secular and communal in nature or subscribe to pages, communities or twitter handles and blogs of such nature.
- * No Government employee shall indulge in any activity on social media or permit any person dependent on him for maintenance or under his care or control to undertake any activity on social media which is, or tends directly or indirectly to be, subversive of Government as by law established in the Country or in the State.
- * A Government employee may, for the purpose of removing misapprehensions, correcting mis-statements, and refuting disloyal and seditious propaganda, defend and explain to the public

the policy of Government in his posts and tweets on social media.

- * Government employees shall not post on social media content or display comments about co-workers or any individual that are vulgar, obscene, threatening intimidating or that violate the conduct rules of employees.
- * No Government employee shall post grievances pertaining to their work place on social media in the form of videos, posts, tweets or blogs or any other form but will follow the already established channel of complaint redressal existing in the departments.
- * The Government employees shall not indulge in sharing the so-called give aways and contests on the social media platforms which are actually scams in disguise and they could unknowingly spread malware or trick people into giving away sensitive data by sharing it on their profiles.

IX. SECURITY :

Social media is possibly the most vital sector of the internet but, being open and social, creates legitimate concerns about privacy and safety. Despite these justifiable security concerns about the web, some of the reasons a persons social media account is compromised are self-induced. The compromised social media account can be a source of important and confidential data being leaked. Therefore, in order to protect the social media accounts, the employees should always remain aware of the following threats and adhere to the precautions listed :—

- * **Identity theft :** There are many security issues that confront the usage of social media, identity theft being the most important among them. Identity thieves gather personal information from social media sites through the information that is provided by a user and his activity on the social media. In order to protect accounts from identity theft, the employees should take the following precautions, viz. use of a strong password always ;

being careful with status updates (should not reveal personal information) and not revealing the location.

- * **Using Third Party Apps :** On the app stores of mobile phones, numerous mobile application softwares are available for downloading. The employees should take care in selecting the app to download as many have been found carrying malicious software. Some of the malwares are designed to reveal the user's private information to a third party, replicate itself on other devices and destroy user data. Also the apps require certain cerlevel of user permission. Therefore, it should be made sure that the employee knows what the app is viewing and sharing before agreeing to the terms.
- * **Clicking on enticing ads :** The enticing ads on social media are also a source of viruses and malware which are a potential security threat and should not be clicked on.
- * **Connecting with strangers :** The employees should be careful while accepting invitations on social media platforms as subversive elements are always trying to be friends with the Government employees to extract information. Any friend requests from strangers as well as duplicate requests should be ignored. Caution should also be taken when connecting with a celebrity's account as scammers, sometimes, pose as famous people.
- * **Evaluating security settings :** Social media sites provide the option to restrict persons who have access to personal information. The employees can improve the security of their social media accounts by disabling most of the options and then re-opening them once they understand what the setting specifically mean to their account. This way the employees can optimise the setting according to their preferences before using the various social media platforms and be more secure.

- * **Becoming over confident :** One of the biggest threats to online security is over confidence. Having a firewall and an anti-virus installed in a computer does not mean there is no threat to security. The employees should not live under the impression that they don't have anything worth hacking, thus need not to worry about security. The inter-connected nature of today's technology does not only put the user to risk but also the other people who are connected to them. To keep themselves and their information safe, the employees should pay careful attention to their online activity. They should avoid posting the following information :—
 - √ Travel plans
 - √ Bank account information
 - √ Full address and date of birth
 - √ Children's names, school, and birth dates
 - √ Location information, such as the name of the work place
 - √ Daily schedule
- * **Be sceptical :** The employees should not believe in all that they read online. There are many false posts or misleading information about different topics that is available online. Therefore, appropriate precautions should be taken to verify the authenticity of any information before sharing it on social media sites.
- * **Keep softwares, particularly web browsers, up-to-date :** Employees should install the latest software updates so that attackers cannot take advantage of known problems or vulnerabilities. Almost all operating systems and softwares offer automatic updates. If this option is available, it is always recommendable to enable it.
- * **Use an anti-virus :** An anti-virus software helps protect the computer against known viruses. Since the attackers are continually creating new viruses, it is important to keep the virus definitions up-to-date. The employees should make sure to have the latest security software and web browser against online threats.

X. LEGAL ISSUES :

The easy access to social media on the go has caused people to invariably post information on social media without understanding its ramifications. A number of times, people post content on various social media sites like Facebook, Twitter, etc. on the spur of the moment or on an impulse without thinking it through.

Thus, it becomes important for the employees to remain aware of the rules and regulations that govern actions of social media users in general and conduct rules which oversee the employees' conduct in personal and professional life. The important and relevant rules and regulations are enumerated below :—

- * **Constitution of India Article 19(2) :** Article 19(2) of the Constitution of India which deals with the right to freedom of speech also imposes reasonable restrictions which is reproduced as under :—

“Nothing in sub-clause (a) of clause (1) shall affect the operation of any existing law, or prevent the State from making any law, in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub-clause in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality or in relation to contempt of court, defamation or incitement to an offence.”

- * **The Information Technology Act :** The Information Technology Act was enacted in the year 2000 which regulates, controls and deals with the issues arising out of information technology. The Act categorically makes users liable, should they post any incriminating or illegal content or material on social

media. The law recognises user, providing content on social media, to be a content service provider and network service provider. Hence, the law recognizes social media users as network service providers and, hence, intermediaries under the law.

Section 66 A : Punishment for sending offensive messages through communication service, etc. (Introduced vide ITAA 2008) :

Any person who sends, by means of a computer resource or a communication device,—

- (a) any information that is grossly offensive or has menacing character ; or
- (b) any information which he knows to be false, but for the purpose of causing annoyance, inconvenience, danger, obstruction, insult, injury, criminal intimidation, enmity, hatred, or ill will persistently makes by making use of such computer resource or a communication device ;
- (c) any electronic mail or electronic mail message for the purpose of causing annoyance or inconvenience or to deceive or to mislead the addressee or recipient about the origin of such messages (Inserted vide ITAA 2008) shall be punishable with imprisonment for a term which may extend to three years and with fine.

* **The Jammu and Kashmir Government Employees (Conduct) Rules, 1971 :** These rules are applicable to all the Government employees of the State of Jammu and Kashmir and give details on the conduct that is expected of the employees in their personal as well as professional life. The rules list out the activities that are not to be carried

out by the employees and violation of the conduct rules can be punished under rule 30 of the Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rules, 1956.

*** The Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rules, 1956 :**

Rule 30 : Punishment

The following penalties may, for good and sufficient reason and as hereinafter provided, be imposed upon members of a service, namely :—

- (i) censure ;
- (ii) fine not exceeding one month's pay ;
- (iii) withholding of increments and/or promotion ;
- (iv) reduction to a lower post and/or a lower time scale and/or to a lower stage in time scale ;
- (v) recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of orders ;
- (vi) premature retirement on proportionate pension other than that specified in rule 226 (2) of Jammu and Kashmir Civil Service Regulations ;
- (vii) removal from the service of the State which does not disqualify from future employment ;
- (viii) dismissal from the service of the State which ordinarily disqualifies from future employment.

XI. OFFICIAL USE OF SOCIAL MEDIA :

There has been an increasing trend among the Government functionaries of creating social media pages of their departments or of the

office they hold, which disseminates official information with regard to public services. The objective for the official use of social media should not be just to disseminate information but also to undertake public engagement for a meaningful public participation for formulation of positive public opinion. Government organizations should explore the use of social media for disseminating information, policy making, generating awareness, education, etc. about public services. Lack of a clearly defined policy on account management enables situations where accounts are established on behalf of departments without executive knowledge and organizational approval. The guidelines for creation, maintenance and destruction of social media accounts for official use are as under :—

- * **Account creation :** The social media accounts for official use should be opened in the name of the department or designation under proper formal orders which states :—
 - √ The name under which account is opened with official email id
 - √ List of employees having access to official account
 - √ Who will hold password for the account
 - √ Scope and content to be posted
 - √ Record keeping guidelines
- * **Response :** The responses on the official social media pages/accounts shall adhere to the following guidelines :—
 - √ Not all posts/comments need to be responded to immediately and individually. Also, wherever a response is required, all posts should be kept short and to the point.
 - √ There has to be a defined hierarchy not only of responses but also of queries. For example, the comments and queries

may be classified as routine - for which a Frequently Asked Question (FAQ) and Fixed Response Format (FRF) may be applied.

- √ The next level of query/comment may be more specific where an “official” response may be needed. Such a categorization will help organizations in streamlining their responses.
- √ There should be congruence between responses posted on social media and those in traditional media.
- * **Records management:** It shall be necessary for departments maintaining the account to keep record of the information shared or guidance given online. All relevant records should be captured, trail generated and records managed appropriately. The following guidelines need to be adhered to while maintaining records :—
 - √ No record may be maintained of queries on the social media account which do not require any decision making or influence any Government policy.
 - √ Consultations which are undertaken on specific policy or governance issues or that may involve decision making, should all be recorded by way of screen shots or in any other manner.
 - √ A summary may be created of the information/consultation on the social media account and filed.
- * **Moderation :** A moderation policy should also be published in the ‘About’ section of the page for others to add their own content. This informs people about what they can post on the official page.

- * **Destruction of official account :** Like creation of account, the destruction of the account if there is poor public response should be put on record through a formal order so that any false account by the official name could be detected lateron.

XII. POLICY ENFORCEMENT :

- * The Government shall monitor the social media to track violations of the guidelines and shall maintain official records of violations that contain certain data related to social media activity of Government employees.
- * Therefore, Government employees should adhere to the above guidelines to ensure against disciplinary action and consequent punishment which will be as per the Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rules, 1956 and largely depend upon the nature and severity of the violation.
- * In case the violation of the guidelines involves an offence under law, it will attract necessary legal action.



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PART II—A

Orders by Heads of Departments.

CHARGE REPORTS

Subject :—Assumption of Charge.

In pursuance to Government Order No. 558-GAD of 2018 dated 04-04-2018, issued by the General Administration Department under endorsement No. GAD (Ser) Genl/204/2009 dated 04-04-2018, I, Shamim Ahmad Laherwal hereby assume the charge of the post of Secretary (Technical), Co-operatives Department today on 4th of April, 2018 (AN).

(Sd.) SHAMIM AHMAD LAHERWAL,

Secretary (Technical),
Co-operatives Department.

In pursuance to Government Order No. 475-GAD of 2018 dated 20-03-2018, we, the following officers have handed over/taken over the charge of Deputy Commissioner, Samba today on 23rd March, 2018 AN.

(Sd.) SHEETAL NANDA, IAS,
Deputy Commissioner, Samba.
Relieved Officer.

(Sd.) RAJINDER SINGH TARA, KAS,
Deputy Commissioner, Samba.
Relieving Officer.



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PART II—B

Notifications, Notices and Orders by Heads of Departments.

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE COLLECTOR, LAND ACQUISITION
(ASSISTANT COMMISSIONER, REVENUE), UDHAMPUR.

Notification under sections 9 & 9-A of the Land Acquisition Act-X of
1990 BK.

Whereas, the land the particulars of which are given below
is required for public purpose namely for construction of road
under PMGSY from Tikri to Chanas up to Dabbar Baskyani, Block
Udhampur) under PMGSY Phase-VII in Village Mand, Tehsil and
District Udhampur ;

Whereas, Revenue Department, Government of Jammu and Kashmir vide Notification No. 06-Rev(LAJ) of 2017 dated 08-01-2018 has accorded sanction under sections 6&7 of Land Acquisition Act, 1990 BK and directed the undersigned to proceed further for the acquisition of below said land.

Therefore, the owners/interested persons and the Indenting Department is hereby called upon to attend this office either in person or through an authorized agent within 15 days i. e. on or before 2nd of February, 2018 during office hours on any working day in my office at DC Office Complex, Udhampur to state their respective interest in the land amount and particular of their claims to compensation and their objection, if any, to measurement of land :-

Specification of land

District	Tehsil	Village	Kh. No.	Area	Kind of soil
1	2	3	4	5	6
				K. M. S.	
Udhampur	Udhampur	Mand	21	00-00-04	G. M. Rasta
			22	00-09-00 00-03-00	W. Doem G. M. Bana
			Total	00-12-00	
			23	02-15-00	G. M. Sadak
			33	00-06-00 00-02-00	W. Abal G. M. Bana
			Total	00-08-00	
			35	00-04-00 00-01-00	W. Abal G. M. Bana
			Total	00-05-00	

1	2	3	4	5	6
<hr/>					
				K. M. S.	
			36	00-04-00	G. M. Ashram
			37	00-02-00	B. Q.
			38	00-04-00	W. Doem
			39	01-17-00	G. M. Sadak
			98	00-04-00	W. Abal
				00-01-00	G. M. Padat

			Total	00-05-00	

			102	00-12-00	W. Abal
				00-03-00	G. M. Bana

			Total	00-17-00	

			103	00-01-00	G. M. Rasta
			104	03-15-00	G. M. Rasta
			107	00-10-00	W. Abal
				00-02-00	G. M. Bana

			Total	00-12-00	

			108	00-02-00	G. M. Rasta
			109	01-03-00	Hail
				00-02-00	G. M. Bana

			Total	01-05-00	

1	2	3	4	5	6
				K. M. S.	
			116	00-00-01	G. M. Dhari
			117	00-18-00	W. Doem
				00-05-00	B. Q.
			Total	01-03-00	
			152	00-09-00	G. M. Jar
			G. Total	14-16-05	

(Sd.) SUBHASH CHANDER DOGRA, KAS,

Collector, Land Acquisition,
Assistant Commissioner (Revenue),
Udhampur.

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE COLLECTOR, LAND ACQUISITION
(ASSISTANT COMMISSIONER, REVENUE), UDHAMPUR.

Notification under sections 9 & 9-A of the Land Acquisition Act-X of
1990 BK.

Whereas, the land the particulars of which are given below
is required for public purpose namely for construction of road under
PMGSY from “Dhar Road to Alsoo” Stage-I, Phase-VII in Village
Sunal, Tehsil Majalta and District Udhampur ;

Whereas, Revenue Department, Government of Jammu and
Kashmir vide Notification No. 08-Rev(LAJ) of 2017 dated
09-01-2018 has accorded sanction under sections 6&7 of Land

Acquisition Act, 1990 BK and directed the undersigned to proceed further for the acquisition of below said land.

Therefore, the owners/interested persons and the Indenting Department is hereby called upon to attend this office either in person or through an authorized agent within 15 days i. e. on or before 2nd of February, 2018 during office hours on any working day in my office at DC Office Complex, Udhampur to state their respective interest in the land amount and particular of their claims to compensation and their objection, if any, to measurement of land :—

Specification of land

District	Tehsil	Village	Kh. No.		Area
					K. M.
Udhampur	Majalta	Sunal	927/2	min	01-00
			927/2	min	00-15
			1004	min	01-06
			1005	min	07-11
			1006	min	00-15
			1006	min	00-06
			1006	min	00-12
			982	min	00-09
			1008	min	00-11
Total				13-05	

(Sd.) SUBHASH CHANDER DOGRA, KAS,

Collector, Land Acquisition,
Assistant Commissioner (Revenue),
Udhampur.

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE COLLECTOR, LAND ACQUISITION
(ASSISTANT COMMISSIONER, REVENUE), UDHAMPUR.

Notification under sections 9 & 9-A of the Land Acquisition Act-X of
1990 BK.

Whereas, the land the particulars of which are given below
is required for public purpose namely for construction of road under
PMGSY from “Dhar Road Tunia Danga to Pathwar” under PMGSY
Phase-VII in Village Pathwar, Tehsil Majalta, District Udhampur ;

Whereas, Revenue Department, Government of Jammu and
Kashmir vide Notification No. 483-Rev(LAJ) of 2017 dated
29-12-2017 has accorded sanction under sections 6&7 of Land
Acquisition Act, 1990 BK and directed the undersigned to proceed
further for the acquisition of below said land.

Therefore, the owners/interested persons and the Indenting
Department is hereby called upon to attend this office either in person
or through an authorized agent within 15 days i. e. on or before
2nd of February, 2018 during office hours on any working day in
my office at DC Office Complex, Udhampur to state their respective
interest in the land amount and particular of their claims to
compensation and their objection, if any, to measurement of land :—

Specification of land

District	Tehsil	Village	Kh. No.	Area
1	2	3	4	5
				K. M.
Udhampur	Majalta	Pathwar	970	min 01-09
			964	min 00-03
			964	min 00-15

1	2	3	4	5
				K. M.
			964 min	00-02
			964 min	00-06
			964 min	00-03
			962 min	02-05
			966 min	00-02
			668 min	00-18
			971 min	02-07
			976 min	00-13
			976 min	00-03
			976 min	01-12
			976 min	00-6.5
			976 min	00-14
			642 min	00-03
			641 min	01-03
			976 min	01-08
			594 min	00-16
			596 min	00-15
			596 min	01-07
			595 min	00-12
			595 min	00-15
			562 min	00-08
			584 min	00-19
			562 min	00-12
			562 min	00-09
			562 min	00-07

1	2	3	4	5
				K. M.
			562 min	00-11
			562 min	00-08
			560	00-05
			560 min	00-06
			560 min	00-04
			560 min	00-11
			560 min	00-02
			559 min	00-04
			558 min	00-08
			557	01-13
			563 min	03-03
			542 min	00-04
			531 min	03-07
			Total	32-18½

(Sd.) SUBHASH CHANDER DOGRA, KAS,

Collector, Land Acquisition,
Assistant Commissioner (Revenue),
Udhampur.

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE COLLECTOR, LAND ACQUISITION
(ASSISTANT COMMISSIONER, REVENUE), UDHAMPUR.

Notification under sections 9 & 9-A of the Land Acquisition Act-X of
1990 BK.

Whereas, the land the particulars of which are given below is required for public purpose namely for construction of road under PMGSY from “Katheel to Puna” road (Stage-I) Pkg No. JK14-401 under PMGSY Phase-X (Length : 3.750 Km), Block Majalta in Village Katheel Dhangu, Tehsil Majalta, District Udhampur ;

Whereas, Revenue Department, Government of Jammu and Kashmir vide Notification No. 05-Rev(LAJ) of 2017 dated 08-01-2018 has accorded sanction under sections 6&7 of Land Acquisition Act, 1990 BK and directed the undersigned to proceed further for the acquisition of below said land.

Therefore, the owners/interested persons and the Indenting Department is hereby called upon to attend this office either in person or through an authorized agent within 15 days i. e. on or before 2nd of February, 2018 during office hours on any working day in my office at DC Office Complex, Udhampur to state their respective interest in the land amount and particular of their claims to compensation and their objection, if any, to measurement of land :-

Specification of land

District	Tehsil	Village	Kh. No.	Area
1	2	3	4	5
				K. M.
Udhampur	Majalta	Katheel Dhangu	108 min	00-04
			108 min	00-05

1	2	3	4	5
				K. M.
			108	min 00-17
			106	min 00-08
			106	min 00-15
			106	min 00-17
			106	min 00-11
			91	min 00-17
			91	min 00-19
			91	min 00-09
			971/804	min 01-00
			688	min 00-04
			691	min 00-16
		1068/1016/683	min	00-12
			686	min 01-18
			687	min 01-11
			690	min 00-16
			692	min 00-17
			693	min 00-06
			694	min 01-02
			695	min 00-02
			696	min 00-07
			696	min 00-08
			697	min 00-12
			697	min 00-10
			773	min 00-05

1	2	3	4	5
				K. M.
			713 min	00-01
			697 min	00-13
			700 min	00-18
			889 min	00-18
			887 min	00-17
			890 min	00-19
			888 min	00-05
			888 min	01-00
			886 min	00-05
		1072/892	min	00-02
			881 min	04-11
			874 min	00-12
			875 min	00-01
			865 min	00-12
			865 min	01-18
			858 min	02-11
			858 min	00-06

			G. Total	33-17

(Sd.) SUBHASH CHANDER DOGRA, KAS,

Collector, Land Acquisition,
Assistant Commissioner (Revenue),
Udhampur.

GOVERNMENT OF JAMMU AND KASHMIR
(REHABILITATION DEPARTMENT)
OFFICE OF THE DEPUTY CUSTODIAN,
EVACUEE PROPERTY, POONCH.

Notification

Dated 02-02-2018.

In pursuance of sub-section (1) of section 9A of the Jammu and Kashmir State Evacuees (Administration of Property) Act-VI of 2006, the undersigned is pleased to notify for general information the list of evacuees properties specified in the schedule annexed hereto, which have vested in him :-

Schedule

S. No.	Description	Locality
1.	Evacuee property 02 Rooms measuring 10'x10' each Belonging to evacuee Mohd Hussain S/o Dewana illegally constructed by One Gh. Yar Mohd S/o Gh. Rasool. Read with section 9 A of J&K State Evacuees (Administration and Property) Act, 2006.	Village Banch Teh. Haveli Distt. Poonch

(Sd.).....

Deputy Custodian,
Evacuee Property,
District Poonch.



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ADVERTISEMENTS—C

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE GENERAL MANAGER, GOVERNMENT
PRESS, SRINAGAR (SEMPORA).

Corrigendum to e-NIT No. 04 of 2018

Dated 30-05-2018.

The e-NIT issued vide this office endorsement No. GPS/146-50 dated 30-05-2018 for providing and fitting of Street Light, kindly read, “providing and fitting of 90 watt LED Street light-Syska, Havells, Philips, Bajaj” instead of “providing and fitting of 90 watt LED Street lights-

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Syska, Havells, Philips” appearing in Annexure ‘B’ of the e-NIT. The modified Annexure “B” is as under :—

S. No.	Item with specification	Quantity
1.	Providing and fitting of : 90 watt LED Street lights-Syska, Havells, Philips, Bajaj including providing of below mentioned electrical items : (Complete job) Places where lights are fitted Bsackside D Get Set 2 Nos. Front side main building 4 Nos. Chowkidar’s side 2 Nos.	8 Nos.
	(1) MCCB 100 Amp Indo/Havells	01 No.
	(2) 7/18 copper wire from Sub-Station to Chowkidar’s Quarter	Quantity as per Actual req.
	(3) 2.5 mm copper wire for fitting for Street light points-Eon, Microtech	Quantity as per Actual req.
	(4) 63 AMP 4 Pole changeover SSK/Havells	01 No.
	(5) PVC pipe (Conduit Pipe)	Quantity as per Actual req.

The other terms and conditions of the e-NIT remain unchanged.

(Sd.) AIJAZ AHMAD AKHOON,
General Manager.



رجسٹرڈ نمبر جے کے - 33

جموں و کشمیر گورنمنٹ گزٹ

جلد نمبر 131 - سرینگر - مورخہ 14 جون 2018ء بمطابق 24 جیسٹھا 1940ء ویر وار نمبر 11

اشتہارات

از عدالت منصف جوڈیشل مجسٹریٹ درجہ اول بھدرواہ

سرکار بنام عبداللطیف وغیرہ
پرچہ علت نمبر 70 سال 2012ء تھانہ پولیس بھدرواہ
بجرائم زیر دفعات : 353/332/34/RPC

وارنٹ گشتی گرفتاری عام زیر دفعہ 512 ضابطہ فوجداری

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر

مقدمہ مندرجہ عنوان اُلصدر میں مُلزم (1) عبداللطیف ولد عنایت اللہ ساکنہ لکسر و تحصیل بھدر واه ضلع ڈوڈہ دوران سماعت مقدمہ روپوش ہو چکا ہے اور کہیں بھی دستیاب نہ ہو رہا ہے۔ اسطور عدالت ہذا کو اطمینان ہو چکا ہے کہ مُلزم مذکور کی سر دست دستیابی بطریق معمول ہونا ناممکن ہے۔

لہذا اہلکاران پولیس ریاست جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ مُلزم مذکور متذکرہ بالا اندر حدود ریاست جموں و کشمیر جہاں کہیں بھی دستیاب ہو گرفتار کر کے عدالت ہذا میں اوقات کچہری میں پیش کریں۔ وارنٹ ہذا تا دستیابی مُلزم زیر کار رہے گا۔

تحریر: 21-7-2017

دستخط: منصف جوڈیشل مجسٹریٹ درجہ اول بھدر واه۔

از عدالت جوڈیشل مجسٹریٹ درجہ اول رام بن

سرکار بنام عبدالرشید وغیرہ

پرچہ علت نمبر 75 سال 2015ء، تھانہ پولیس رام بن

بجرائم زیر دفعات: U/S 188 RPC 43 P.C. Act.

وارنٹ گشتی گرفتاری عام زیر دفعہ 512 ضابطہ فوجداری۔

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر

معاملہ مندرجہ عنوان اُصدر میں آپ کو حکم و اختیار دیا جاتا ہے کہ ملزمان (1) عبدل رشید ولد علی گوجر عرف غلام علی ساکنہ منیرہ تحصیل رام بن (2) محمد انور ولد غلام رسول ساکنہ سرگنی تحصیل بانہال مقدمہ ہذا میں دیدہ دانستہ طور پر عدالت ہذا سے غیر حاضر ہو چکے ہیں۔ اس نسبت بیان تعمیل کنندہ کا بھی قلمبند کیا گیا ہے جس سے عدالت ہذا کو اطمینان ہوا ہے کہ ملزمان کی سر دست دستیابی کی کوئی اُمید نہ ہے۔ لہذا اہلکاران پولیس ریاست جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزمان بعد دستیابی اندر حدود ریاست کو گرفتار کر کے ہمارے روبرو عدالت ہذا میں پیش کریں۔ تا دستیابی ملزمان وارنٹ ہذا زیر کار رہیگا۔

تحریر: 2017-03-30

سرکار بنام فرید احمد

پرچہ علت نمبر 120 سال 2012ء، تھانہ پولیس رام بن

بجرائم زیر دفعات : U/S 498-A/323RPC

وارنٹ گشتی عام زیر دفعہ: 512 ضابطہ فوجداری

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر

معاملہ مندرجہ عنوان اُلصدر میں آپ کو حکم و اختیار دیا جاتا ہے کہ مُلزم فرید احمد ولد محمد اسلم ساکنہ وارڈ نمبر 5 رام بن تحصیل ضلع رام بن دیدہ دانستہ طور پر عدالت ہذا سے غیر حاضر ہو چکا ہے اس نسبت بیان تعمیل کنندہ کا بھی قلمبند کیا گیا ہے۔ جس سے عدالت ہذا کو اطمینان ہوا ہے کہ مُلزم کی سر دست دستیابی کی کوئی اُمید نہ ہے۔

لہذا اہلکار پولیس ریاست جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ مُلزم بعد دستیابی اندر حُدود ریاست کو گرفتار کر کے ہمارے روبرو عدالت ہذا میں پیش کریں۔ تا دستیابی مُلزم وارنٹ ہذا زیر کار رہے گا۔

تحریر: 11-4-2017

دستخط: جوڈیشل مجسٹریٹ درجہ اول رام بن -





**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 130] Srinagar, Tue., the 27th March, 2018/6th Chai., 1940. [No. 51-h

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Notification

Jammu, the 27th March, 2018.

SRO-144.—In exercise of the powers conferred by section 164 of the Jammu and Kashmir Goods and Services Tax Act, 2017 (Act No. V of 2017), the State Government hereby makes the following amendments in the Jammu and Kashmir Goods and Services Tax Rules, 2017, namely :—

- (i) with effect from the date of publication of this notification in the Central Gazette, in rule 117, in sub-rule (4), in clause (b),

for sub-clause (iii), the following shall be substituted, namely :—

“(iii) The registered person availing of this scheme and having furnished the details of stock held by him in accordance with the provisions of clause (b) of sub-rule (2), submits a statement in **FORM GST TRAN 2** by 31st March, 2018, or within such period as extended by the Commissioner, on the recommendations of the Council, for each of the six tax periods during which the scheme is in operation indicating therein, the details of supplies of such goods effected during the tax period ;” ;

(ii) for rule 138, the following rule shall be substituted, namely :—

“138. Information to be furnished prior to commencement of movement of goods and generation of e-way bill.—

(1) Every registered person who causes movement of goods of consignment value exceeding fifty thousand rupees—

(i) in relation to a supply ; or

(ii) for reasons other than supply ; or

(iii) due to inward supply from an unregistered person,

shall, before commencement of such movement, furnish information relating to the said goods as specified in **Part A** of **FORM GST EWB-01**, electronically, on the common portal along with such other information as may be required on the common portal and a unique number will be generated on the said portal :

Provided that the transporter, on an authorization received from the registered person, may furnish information in **Part A** of **FORM GST EWB-01**, electronically, on the common portal along with such other information as may be required on the common portal and a unique number will be generated on the said portal :

Provided further that where the goods to be transported are supplied through an e-Commerce operator or a courier agency, on an

authorization received from the consignor, the information in **Part A** of **FORM GST EWB-01** may be furnished by such e-Commerce operator or courier agency and a unique number will be generated on the said portal :

Provided also that where goods are sent by a principal located in one State or Union Territory to a job worker located in any other State or Union Territory, the e-way bill shall be generated either by the principal or the job worker, if registered, irrespective of the value of the consignment :

Provided also that where handicraft goods are transported from one State or Union Territory to another State or Union Territory by a person who has been exempted from the requirement of obtaining registration under clauses (i) and (ii) of section 24, the e-way bill shall be generated by the said person irrespective of the value of the consignment.

Explanation 1. :— For the purposes of this rule, the expression “handicraft goods” has the meaning as assigned to it in the SRO Notification SRO-GST-18 dated 15th September, 2017 issued by Finance Department, Government of Jammu and Kashmir as amended from time to time.

Explanation 2. :— For the purposes of this rule, the consignment value of goods shall be the value, determined in accordance with the provisions of section 15 declared in an invoice a bill of supply or a delivery challan, as the case may be, issued in respect of the said consignment and also includes the Central tax, State or Union Territory tax, integrated tax and cess charged, if any, in the document and shall exclude the value of exempt supply of goods where the invoice is issued in respect of both exempt and taxable supply of goods.

(2) Where the goods are transported by the registered person as a consignor or the recipient of supply as the consignee, whether in his own conveyance or a hired one or a public conveyance,

by road, the said person shall generate the e-way bill in **FORM GST EWB-01** electronically on the common portal after furnishing information in **Part B** of **FORM GST EWB-01**.

(2A) Where the goods are transported by railways or by air or vessel, the e-way bill shall be generated by the registered person, being the supplier or the recipient, who shall, either before or after the commencement of movement, furnish, on the common portal, the information in **Part B** of **FORM GST EWB-01**:

Provided that where the goods are transported by railways, the railways shall not deliver the goods unless the e-way bill required under these rules is produced at the time of delivery.

(3) Where the e-way bill is not generated under sub-rule (2) and the goods are handed over to a transporter for transportation by road, the registered person shall furnish the information relating to the transporter on the common portal and the e-way bill shall be generated by the transporter on the said portal on the basis of the information furnished by the registered person in **Part A** of **FORM GST EWB-01** :

Provided that the registered person or, the transporter may, at his option, generate and carry the e-way bill even if the value of the consignment is less than fifty thousand rupees :

Provided further that where the movement is caused by an unregistered person either in his own conveyance or a hired one or through a transporter, he or the transporter may, at their option, generate the e-way bill in **FORM GST EWB-01** on the common portal in the manner specified in this rule :

Provided also that where the goods are transported for a distance of up to fifty kilometers within the State or Union Territory from the place of business of the consignor to the place of business of the transporter for further transportation, the supplier or the recipient, or as the case may be, the transporter may not furnish the details of conveyance in **Part B** of **FORM GST EWB-01**.

Explanation 1. :— For the purposes of this sub-rule, where the goods are supplied by an unregistered supplier to a recipient who is registered, the movement shall be said to be caused by such recipient if the recipient is known at the time of commencement of the movement of goods.

Explanation 2. :— The e-way bill shall not be valid for movement of goods by road unless the information in **Part-B** of **FORM GST EWB-01** has been furnished except in the case of movements covered under the third proviso to sub-rule (3) and the proviso to sub-rule (5).

(4) Upon generation of the e-way bill on the common portal, a unique e-way bill number (EBN) shall be made available to the supplier, the recipient and the transporter on the common portal.

(5) Where the goods are transferred from one conveyance to another, the consignor or the recipient, who has provided information in **Part A** of the **FORM GST EWB-01**, or the transporter shall, before such transfer and further movement of goods, update the details of conveyance in the e-way bill on the common portal in **Part B** of **FORM GST EWB-01** :

Provided that where the goods are transported for a distance of up to fifty kilometers within the State or Union Territory from the place of business of the transporter finally to the place of business of the consignee, the details of the conveyance may not be updated in the e-way bill.

(5A) The consignor or the recipient, who has furnished the information in **Part A** of **FORM GST EWB-01**, or the transporter, may assign the e-way bill number to another registered or enrolled transporter for updating the in **Part B** of **FORM GST EWB-01** for further movement of the consignment :

Provided that after the details of the conveyance have been updated by the transporter in **Part B** of **FORM GST EWB-01**, the

consignor or recipient, as the case may be, who has furnished the information in **Part A of FORM GST EWB-01** shall not be allowed to assign the e-way bill number to another transporter.

(6) After e-way bill has been generated in accordance with the provisions of sub-rule (1), where multiple consignments are intended to be transported in one conveyance, the transporter may indicate the serial number of e-way bills generated in respect of each such consignment electronically on the common portal and a consolidated e-way bill in **FORM GST EWB-02** may be generated by him on the said common portal prior to the movement of goods.

(7) Where the consignor or the consignee has not generated the e-way bill in **FORM GST EWB-01** and the aggregate of the consignment value of goods carried in the conveyance is more than fifty thousand rupees, the transporter, except in case of transportation of goods by railways, air and vessel, shall, in respect of inter-State supply, generate the e-way bill in **FORM GST EWB-01** on the basis of invoice or bill of supply or delivery challan, as the case may be, and may also generate a consolidated e-way bill in **FORM GST EWB-02** on the common portal prior to the movement of goods :

Provided that where the goods to be transported are supplied through an e-Commerce operator or a courier agency, the information in **Part A of FORM GST EWB-01** may be furnished by such e-Commerce operator or courier agency.

(8) The information furnished in **Part A of FORM GST EWB-01** shall be made available to the registered supplier on the common portal who may utilize the same for furnishing the details in **FORM GSTR-1** :

Provided that when the information has been furnished by an unregistered supplier or an unregistered recipient in **FORM GST EWB-01**, he shall be informed electronically, if the mobile number or the e-mail is available.

(9) Where an e-way bill has been generated under this rule, but goods are either not transported or are not transported as per the details furnished in the e-way bill, the e-way bill may be cancelled electronically on the common portal within twenty four hours of generation of the e-way bill :

Provided that an e-way bill cannot be cancelled if it has been verified in transit in accordance with the provisions of rule 138B :

Provided further that the unique number generated under sub-rule (1) shall be valid for a period of fifteen days for updation of **Part B** of **FORM GST EWB-01**.

(10) An e-way bill or a consolidated e-way bill generated under this rule shall be valid for the period as mentioned in column (3) of the Table below from the relevant date, for the distance, within the country, the goods have to be transported, as mentioned in column (2) of the said Table :—

Sl. No.	Distance	Validity period
(1)	(2)	(3)
1.	Up to 100 km.	One day in cases other than Over Dimensional Cargo
2.	For every 100 km. or part thereof thereafter	One additional day other than Over Dimensional Cargo
3.	Up to 20 km.	One day in case of Over Dimensional Cargo
4.	For every 20 km.	One additional day in case of Over Dimensional Cargo :

Provided that the Commissioner may, on the recommendations of the Council, by notification, extend the validity period of an

e-way bill for certain categories of goods as may be specified therein :

Provided further that where, under circumstances of an exceptional nature, including transshipment, the goods cannot be transported within the validity period of the e-way bill, the transporter may extend the validity period after updating the details in **Part B** of **FORM GST EWB-01**, if required.

Explanation 1. :— For the purposes of this rule, the “relevant date” shall mean the date on which the e-way bill has been generated and the period of validity shall be counted from the time at which the e-way bill has been generated and each day shall be counted as the period expiring at midnight of the day immediately following the date of generation of e-way bill.

Explanation 2. :— For the purposes of this rule, the expression “Over Dimensional Cargo” shall mean a cargo carried as a single indivisible unit and which exceeds the dimensional limits prescribed in rule 93 of the Central Motor Vehicle Rules, 1989, made under the Motor Vehicles Act, 1988 (59 of 1988).

(11) The details of the e-way bill generated under this rule shall be made available to the—

- (a) supplier, if registered, where the information in **Part A** of **FORM GST EWB-01** has been furnished by the recipient or the transporter ; or
- (b) recipient, if registered, where the information in **Part A** of **FORM GST EWB-01** has been furnished by the supplier or the transporter, on the common portal, and the supplier or the recipient, as the case may be, shall communicate his acceptance or rejection of the consignment covered by the e-way bill.

(12) Where the person to whom the information specified in sub-rule (11) has been made available does not communicate his acceptance or rejection within seventy two hours of the details being made available to him on the common portal, or the time of delivery of goods whichever is earlier, it shall be deemed that he has accepted the said details.

(13) The e-way bill generated under this rule or under rule 138 of the Goods and Services Tax Rules of any State or Union Territory shall be valid in every State and Union Territory.

(14) Notwithstanding anything contained in this rule, no e-way bill is required to be generated—

- (a) where the goods being transported are specified in Annexure ;
- (b) where the goods are being transported by a non-motorised conveyance ;
- (c) where the goods are being transported from the customs port, airport, air cargo complex and land customs station to an inland container depot or a container freight station for clearance by Customs ;
- (d) In respect of movement of such goods and within such areas in the State and for values not exceeding such amount as the Commissioner of State Tax, in consultation with the Principal Chief Commissioner/ Chief Commissioner of Central Tax, may, subject to conditions that may be specified, notify ;
- (e) where the goods, other than de-oiled cake, being transported, are specified in the Schedule appended to SRO notification No. SRO-GST-02 dated the 08th July, 2017 issued by Finance Department, Government of Jammu and Kashmir as amended from time to time ;

- (f) where the goods being transported are alcoholic liquor for human consumption, petroleum crude, high speed diesel, motor spirit (commonly known as petrol), natural gas or aviation turbine fuel ;
- (g) where the supply of goods being transported is treated as no supply under Schedule III of the Act ;
- (h) where the goods are being transported—
 - (i) under customs bond from an inland container depot or a container freight station to a customs port, airport, air cargo complex and land customs station, or from one customs station or customs port to another customs station or customs port ; or
 - (ii) under customs supervision or under customs seal ;
- (i) where the goods being transported are transit cargo from or to Nepal or Bhutan ;
- (j) where the goods being transported are exempt from tax under SRO notification No. SRO-GST-07 dated 08th July, 2017 issued by Finance Department, Government of Jammu and Kashmir as amended from time to time and SRO notification No. SRO-GST-08 (Rate) dated the 21st September, 2017 issued by Finance Department, Government of Jammu and Kashmir as amended from time to time ;
- (k) any movement of goods caused by defence formation under Ministry of Defence as a consignor or consignee ;
- (l) where the consignor of goods is the Central Government, Government of any State or a local authority for transport of goods by rail ;

- (m) where empty cargo containers are being transported ; and
- (n) where the goods are being transported up to a distance of twenty kilometers from the place of the business of the consignor to a weighbridge for weighment or from the weighbridge back to the place of the business of the said consignor subject to the condition that the movement of goods is accompanied by a delivery challan issued in accordance with rule 55.

*Explanation :—*The facility of generation, cancellation, updation and assignment of e-way bill shall be made available through SMS to the supplier, recipient and the transporter, as the case may be.

ANNEXURE

[(See rule 138 (14)]

S. No.	Description of Goods
(1)	(2)
1.	Liquefied petroleum gas for supply to household and Non-Domestic Exempted Category (NDEC) customers.
2.	Kerosene oil sold under PDS.
3.	Postal baggage transported by Department of Posts.
4.	Natural or cultured pearls and precious or semi-precious stones ; precious metals and metals clad with precious metal (Chapter 71).
5.	Jewellery, goldsmiths' and silversmiths' wares and other articles (Chapter 71).
6.	Currency.
7.	Used personal and household effects.
8.	Coral, unworked (0508) and worked coral (9601).

- (iii) for rule 138A, the following rule shall be substituted, namely :—

“138A. Documents and devices to be carried by a person incharge of a conveyance.—(1) The person incharge of a conveyance shall carry—

- (a) the invoice or bill of supply or delivery challan, as the case may be ; and
- (b) a copy of the e-way bill in physical form or the e-way bill number in electronic form or mapped to a Radio Frequency Identification Device embedded on to the conveyance in such manner as may be notified by the Commissioner :

Provided that nothing contained in clause (b) of this sub-rule shall apply in case of movement of goods by rail or by air or vessel.

(2) A registered person may obtain an Invoice Reference Number from the common portal by uploading, on the said portal, a tax invoice issued by him in **FORM GST INV-1** and produce the same for verification by the proper officer in lieu of the tax invoice and such number shall be valid for a period of thirty days from the date of uploading.

(3) Where the registered person uploads the invoice under sub-rule (2), the information in **Part A** of **FORM GST EWB-01** shall be auto-populated by the common portal on the basis of the information furnished in **FORM GST INV-1**.

(4) The Commissioner may, by notification, require a class of transporters to obtain a unique Radio Frequency Identification Device and get the said device embedded on to the conveyance and map the e-way bill to the Radio Frequency Identification Device prior to the movement of goods.

(5) Notwithstanding anything contained in clause (b) of sub-rule (1), where circumstances so warrant, the Commissioner

may, by notification, require the person incharge of the conveyance to carry the following documents instead of the e-way bill :—

- (a) tax invoice or bill of supply or bill of entry ; or
 - (b) a delivery challan, where the goods are transported for reasons other than by way of supply.”.
- (iv) for rule 138B, the following rule shall be substituted, namely :—

“138B. Verification of documents and conveyances.—

(1) The Commissioner or an officer empowered by him in this behalf may authorize the proper officer to intercept any conveyance to verify the e-way bill in physical or electronic form for all inter-State and intra-State movement of goods.

(2) The Commissioner shall get Radio Frequency Identification Device readers installed at places where the verification of movement of goods is required to be carried out and verification of movement of vehicles shall be done through such device readers where the e-way bill has been mapped with the said device.

(3) The physical verification of conveyances shall be carried out by the proper officer as authorised by the Commissioner or an officer empowered by him in this behalf :

Provided that on receipt of specific information on evasion of tax, physical verification of a specific conveyance can also be carried out by any other officer after obtaining necessary approval of the Commissioner or an officer authorised by him in this behalf.”.

- (v) for rule 138C, the following rule shall be substituted, namely :—

“138C. Inspection and verification of goods.—

(1) A summary report of every inspection of goods in transit shall be recorded online by the proper officer in **Part A** of

FORM GST EWB-03 within twenty four hours of inspection and the final report in **Part B** of **FORM GST EWB-03** shall be recorded within three days of such inspection.

(2) Where the physical verification of goods being transported on any conveyance has been done during transit at one place within the State or Union Territory or in any other State or Union Territory, no further physical verification of the said conveyance shall be carried out again in the State or Union Territory, unless a specific information relating to evasion of tax is made available subsequently.”.

(vi) for rule 138D, the following rule shall be substituted, namely :—

“138D. Facility for uploading information regarding detention of vehicle.—Where a vehicle has been intercepted and detained for a period exceeding thirty minutes, the transporter may upload the said information in **FORM GST EWB-04** on the common portal.”.

(vii) for **FORM GST EWB-01**, **FORM GST EWB-02**, **FORM GST EWB-03**, **FORM GST EWB-04** and **FORM GST INV-1**, the following forms shall be substituted, namely :—

“FORM GST EWB-01

(See rule 138)

E-Way Bill

E-Way Bill No.	:
E-Way Bill date	:
Generator	:
Valid from	:
Valid until	:

PART-A		
A.1	GSTIN of Supplier	
A.2	Place of Dispatch	
A.3	GSTIN of Recipient	
A.4	Place of Delivery	
A.5	Document Number	
A.6	Document Date	
A.7	Value of Goods	
A.8	HSN Code	
A.9	Reason for Transportation	
PART-B		
B.1	Vehicle Number for Road	
B.2	Transport Document Number/Defence Vehicle No./Temporary Vehicle Registration No./Nepal or Bhutan Vehicle Registration No.	

- Notes :—**
1. HSN Code in column A.8 shall be indicated at minimum two digit level for taxpayers having annual turnover up to five crore rupees in the preceding financial year and at four digit level for taxpayers having annual turnover above five crore rupees in the preceding financial year.
 2. Document Number may be of Tax Invoice, Bill of Supply, Delivery Challan or Bill of Entry.
 3. Transport Document number indicates Goods Receipt Number or Railway Receipt Number or Forwarding Note

Number or Parcel Way Bill Number issued by railways or
Airway Bill Number or Bill of Lading Number.

4. Place of delivery shall indicate the PIN Code of place of delivery.
5. Place of dispatch shall indicate the PIN Code of place of dispatch.
6. Where the supplier or the recipient is not registered, then the letters “URP” are to be filled-in in column A.1 or, as the case may be, A.3.
7. Reason for transportation shall be chosen from one of the following :—

Code	Description
1	Supply
2	Export or Import
3	Job Work
4	SKD or CKD
5	Recipient not known
6	Line Sales
7	Sales Return
8	Exhibition or fairs
9	For own use
10	Others

FORM GSTEWB-02

(See rule 138)

Consolidated E-Way Bill

Consolidated E-Way Bill No. :

Consolidated E-Way Bill Date :

Generator :

Vehicle Number :

Number of E-Way Bills		
E-Way Bill Number		

FORM GSTEWB-03

(See rule 138C)

Verification Report

Part A	
Name of the Officer	
Place of inspection	
Time of inspection	
Vehicle Number	
E-Way Bill Number	
Tax Invoice or Bill of Supply or Delivery Challan or Bill of Entry date	
Tax Invoice or Bill of Supply or Delivery Challan or Bill of Entry Number	

Name of person incharge of vehicle	
Description of goods	
Declared quantity of goods	
Declared value of goods	
Brief description of the discrepancy	
Whether goods were detained ?	
If not, date and time of release of vehicle	
Part B	
Actual quantity of goods	
Actual value of the Goods	
Tax payable	
Integrated tax	
Central tax	
State or Union Territory tax	
Cess	
Penalty payable	
Integrated tax	
Central tax	
State or Union Territory tax	
Cess	
Details of Notice	
Date	
Number	
Summary of findings	

FORM GST EWB-04

(See rule 138D)

Report of Detention

E-Way Bill Number	
Approximate Location of detention	
Period of detention	
Name of Officer incharge	(if known)
Date	
Time	

FORM GST INV-1*(See rule 138A)*

Generation of Invoice Reference Number

IRN :		Date :	
Details of Supplier			
GSTIN			
Legal Name			
Trade name, if any			
Address			
Serial No. of Invoice			
Date of Invoice			
	Details of Recipient (Billed to)	Details of Consignee (Shipped to)	
GSTIN or UIN, if available			
Name			

Address			
State (name and code)			
Type of supply—			
	B to B supply		
	B to C supply		
	Attracts Reverse Charge		
	Attracts TCS	GSTIN of operator	
	Attracts TDS	GSTIN of TDS Authority	
	Export		
	Supplies made to SEZ		
	Deemed export		

Sl. No.	Description of Goods	HSN	Qty.	Unit	Price (per unit)	Total value	Discount, if any	Taxable value	Central Tax		State or Union Territory Tax		Integrate Tax		Cess	
									Rate	Amt.	Rate	Amt.	Rate	Amt.	Rate	Amt.
	Freight															
	Insurance															
	Packing and Forwarding Charges etc.															
Total																
Total Invoice Value (In figure)																
Total Invoice Value (In Words)																

Signature
Name of the Signatory
Designation or Status”.

- (viii) with effect from the date of publication of this notification in the Central Gazette, in **FORM GST RFD-01**, for the **DECLARATION** [second proviso to section 54(3)], the following shall be substituted, namely :—

“DECLARATION [second proviso to section 54(3)]

I hereby declare that the goods exported are not subject to any export duty. I also declare that I have not availed any drawback of central excise duty/service tax/state tax on goods or services or both and that I have not claimed refund of the integrated tax paid on supplies in respect of which refund is claimed.

Signature

Name-

Designation/Status” ;

- (ix) with effect from the date of publication of this notification in the Central Gazette, in **FORM GST RFD-01A**, for the **DECLARATION** [second proviso to section 54(3)], the following shall be substituted, namely:—

“DECLARATION [second proviso to section 54(3)]

I hereby declare that the goods exported are not subject to any export duty. I also declare that I have not availed any drawback of central excise duty/service tax/state tax on goods or services or both and that I have not claimed refund of the integrated tax paid on supplies in respect of which refund is claimed.

Signature

Name-

Designation/Status”.

The notification shall come into force on the date of publication of corresponding amendment of Central Goods and Services Tax (Amendment) Rules, 2018 in the Central Gazette.

By order of the Government of Jammu and Kashmir.

(Sd.) NAVIN K. CHAUDHARY, IAS,
Principal Secretary to Government,
Finance Department.

PART I-B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—REVENUE DEPARTMENT

Notification

Jammu, the 4th April, 2018.

SRO-160.—In exercise of the powers conferred by clause (b) of section 3 of the Jammu and Kashmir Grant of Permanent Resident Certificate (Procedure) Act, 1963 (Act No. XIII of 1963), and in supersession of all previous notifications issued in this behalf, the Government hereby appoint Mr. Umar Shafi Pandit, KAS, Sub-Divisional Magistrate, Noorabad to be the competent authority for the purposes of the said Act within the territorial jurisdiction of Tehsil Damhal Hanjipora of District Kulgam.

By order of the Government of Jammu and Kashmir.

(Sd.) SHAHID ANAYATULLAH, IAS,
Commissioner/Secretary to Government,
Revenue Department.

PART I-B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—INDUSTRIES AND COMMERCE
DEPARTMENT

Notification

Jammu, the 6th April, 2018.

SRO-161.—In exercise of the powers conferred by section 15 read with section 23 C of the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act 67 of 1957), the Government hereby direct that in rule 104-A of the J&K Minor Mineral Concession, Storage, Transportation of Minerals and Prevention of Illegal Mining Rules, 2016, for the figure, sign and words “31st March, 2018”, the figure, sign and words “30th June, 2018” shall be substituted.

By order of the Government of Jammu and Kashmir.

(Sd.) SHAILENDRA KUMAR, IAS,

Principal Secretary to Government,
Industries and Commerce Department.

PART I-B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—DEPARTMENT OF RURAL
DEVELOPMENT AND PANCHAYATI RAJ

Notification

Jammu, the 6th April, 2018.

SRO-162.—In exercise of powers conferred under clause (a) of sub-section (1) of section 2 of the Jammu and Kashmir Panchayati Raj Act, 1989 and in partial modification of all the notifications issued on the subject, the Government hereby de-notify the following Panchayat Halqas from CD Block, Srinagar South of District Srinagar :—

S. No.	Name of the Panchayat Halqa
1.	Bakshipora
2.	Takenwaripora
3.	Tengpora

By order of the Government of Jammu and Kashmir.

(Sd.) SHEETAL NANDA, IAS,

Secretary to the Government,
Department of Rural Development and Panchayati Raj.



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

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Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—LABOUR AND EMPLOYMENT
DEPARTMENT

Notification

Jammu, the 2nd April, 2018.

SRO-152.—In exercise of the powers conferred by sub-section (1) of section 35 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (Central Act), the Government of Jammu and Kashmir hereby intends to make the following amendments in Jammu and Kashmir Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Rules, 1984, namely :—

1. in rule 49, for “Form XIII”, the “Form XIII” appended to this notification shall be substituted ;

2. in clause (a) of sub-rule 2 of rule 52 for “Form XVII and XVIII respectively”, the “Form XVII and Form XVII respectively” appended to this notification shall be substituted ;
3. in clause (c) of sub-rule 2 of rule 52, for “Form XIX, XX and XXI respectively”, the composite “Form XIX” appended to this notification shall be substituted ;
4. in clause (d) of sub-rule 2 of rule 52, for “Form XXII”, the “Form XVIII” appended to this notification shall be substituted ;
5. Form XX, XXI and XXII shall be omitted.

Now, in pursuance of sub-section (1) of section 35, any person who desires to object to the aforesaid amendments may submit his/her objections/ suggestions for consideration in writing to the Commissioner/Secretary to Government, Labour and Employment Department, Civil Secretariat within a six weeks from the date of issuance of this notification.

Any objection/suggestion received after the expiry of the said period shall not be entertained.

By order of the Government of Jammu and Kashmir.

(Sd.) KIFAYAT HUSSAIN RIZVI, IAS,
Commissioner/Secretary to the Government,
Labour and Employment Department.

FORM XIII

(See rule 49)

REGISTER OF WORKMEN/EMPLOYEES EMPLOYED BY CONTRACTOR

Name and address of contractor.....

Name and address of establishment in/under which migrant workmen are employed.....

Name and location of the work.....

Name and address of the principal employer.....

LIN/Registration No.

LIN/Registration No.

S. No.	Employee Code	Name	Gender	Father's/ Spouse	Surname	Date of Birth#	Nationality	Education Level	Date of Joining	Designation	Category *(HS/S/ US)
1	2	3	4	5	6	7	8	9	10	11	12

Type of Employment	Mobile	UAN	PAN	ESIC/IP	LWF	AADHAR	Bank A/c No.	Bank	Branch (IFSC)	Present Address	Permanent Address
13	14	15	16	17	18	19	20	21	22	23	24

Service Book No.	Date of Exit	Reason for Exit	Mark of Identification	Photo	Specimen Signature/Thumb Impression	Remarks
25	26	27	28	29	30	31

*(Highly Skilled/Skilled/ Unskilled)

#Note :— In case the age is between 14 to 18 years, mention the nature of work, daily hours of work and intervals of rest in the remarks Column.

Signature of Contractor or his authorized representative.

FORM XVII

[See rule 52 (2) (a)]

ATTENDANCE REGISTER/MUSTER ROLL

Name and address of contractor..... Name and address of establishment in/under which migrant workmen are employed.....

Name and location of the work..... Name and address of the principal employer.....

LIN/Registration No. LIN/Registration No.

For the period from to

S. No. in Employees register	Name	Relay/place of work*	Date 1 2 3 4 31 IN OUT	Summary/No. of Days	No. of hours worked with remarks	**Signature of Register Keeper
1	2	3	4	5	6	7

* In case of Mines only (Underground/Opencast/Surface).

In case an employee is not present the following to be entered : (R for Rest/L for Paid Leave/A for absent/O for Weekly Off/C for establishment closed).

** Not necessary in case of E Form maintenance.

FORM XVIII

[See rule 52 (2) (a) & rule 52 (2) (d)]

REGISTER OF WAGES

Name and address of contractor..... Name and address of establishment in/under which migrant workmen are employed.....

Name and location of the work..... Name and address of the principal employer.....

LIN/Registration No. LIN/Registration No.

Wage period from.....to(Monthly/Fortnightly/Weekly/Daily/Piece Rated)

	Highly Skilled	Skilled	Unskilled
Minimum Basic			
DA Overtime			
Overtime			

S. No. in Employee register	Name	Rate of Wage	No. of Days worked	Overtime Hours worked	Basic	Special Basic	DA	Payments Overtime	HRA	*Others	Total
1	2	3	4	5	6	7	8	9	10	11	12

Deduction								Net Payment	Employer Share PF Welfare Fund	Receipt by Employee/ Bank Transaction ID	Date of payment	Remarks
PF	ESIC	Society	Income Tax	Insurance	Others	Reco- veries	Total					
13	14	15	16	17	18	19	20	21	22	23	24	25

*In case of Mines Act any Leave Wages paid should be shown in the Others Column and specifically mentioned in the Remarks Column also.

FORM XIX

[See rule 52 (2) (c)]

REGISTER FOR DAMAGE/LOSS/FINE/ADVANCE/LOANS

Name and address of contractor.....

Name and address of establishment in/under which migrant workmen are employed.....

Name and location of the work.....

Name and address of the principal employer.....

LIN/Registration No.

LIN/Registration No.

S. No. in Employee register	Name	Recovery type (damage/ loss/ fine/ advance/ loans)	Particulars	Date of damage/ loss*	Amount	Whether show cause issued*	Explanation heard in presence of*	No. of Installments	First Month/ year	Last Month/ year	Date of complete Recovery	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13

*Applicable only in case of damage/loss/fine.

EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 130] Srinagar, Mon., the 2nd April, 2018/12th Chai., 1940. [No. 52-f

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—LABOUR AND EMPLOYMENT
DEPARTMENT

Notification

Jammu, the 2nd April, 2018.

SRO-153.—In exercise of the powers conferred by sub-section (1) of section 35 of the Contract Labour (Regulation and Abolition) Act, 1970 (Act 37 of 1970), the Government of Jammu and Kashmir hereby intends to make the following amendments in Jammu and Kashmir Contract Labour (Regulation and Abolition) Rules, 1972, namely :—

1. in rule 75, for “Form XIII”, the “Form XIII” appended to this notification shall be substituted ;

2. in clause (a) of sub-rule (2) of rule 78 for “Form XVI and Form XVII respectively”, the “Form XVI and Form XVII respectively” appended to this notification shall be substituted ;
3. proviso to clause(a) of sub-rule (2) of rule 78 shall be omitted ;
4. in clause (d) of sub-rule (2) of rule 78, for “Form XX, XXI and XXII respectively”, the composite “Form XX” appended to this notification shall be substituted ;
5. in clause (e) of sub-rule (2) of rule 78, for “Form XXIII”, the “Form XVII” appended to this notification shall be substituted ; and
6. form XVII, XXI, XXII and XXIII shall be omitted.

Now, in pursuance of sub-section (1) of section 35, any person who desires to object to the aforesaid amendments may submit his/her objections/ suggestions for consideration in writing to the Commissioner/Secretary to Government, Labour and Employment Department, Civil Secretariat within a period of six weeks from the date of issuance of this notification.

Any objection/suggestion received after the expiry of the said period shall not be entertained.

By order of the Government of Jammu and Kashmir.

(Sd.) KIFAYAT HUSSAIN RIZVI, IAS,
Commissioner/Secretary to the Government,
Labour and Employment Department.

FORM XIII

(See rule 75)

REGISTER OF WORKMEN/EMPLOYEES EMPLOYED BY CONTRACTOR

Name and Address of Contractor.....

Name and Address of Establishment in/under which contract is carried out.....

Name and location of the work.....

Name and address of the Principal employer.....

LIN/Registration No.

LIN/Registration No.

S. No.	Employee Code	Name	Gender	Father's/ Spouse	Surname	Date of Birth#	Nationality	Education Level	Date of Joining	Designation	Category *(HS/S/SS US)
1	2	3	4	5	6	7	8	9	10	11	12

Type of Employment	Mobile	UAN	PAN	ESIC/IP	LWF	AADHAR	Bank A/c No.	Bank	Branch (IFSC)	Present Address	Permanent Address
13	14	15	16	17	18	19	20	21	22	23	24

Service Book No	Date of Exit	Reason for Exit	Mark of Identification	Photo	Specimen Signature/Thumb Impression	Remarks
25	26	27	28	29	30	31

*(Highly Skilled/Skilled/Semi-Skilled/Unskilled)

#Note :— In case the age is between 14 to 18 years, mention the nature of work, daily hours of work and Intervals of rest in the remarks Column.

FORM XVI

[See rule 78 (2) (a)]

ATTENDANCE REGISTER/MUSTER ROLL

Name and Address of Contractor..... Name and Address of Establishment in/under which contract is carried out.....

Name and location of the work..... Name and address of the Principal employer.....

LIN/Registration No. LIN/Registration No.

For the period from to

S. No. in Employees register	Name	Relay/Place of work*	Date 1 2 3 4 31 IN OUT	Summary/No. of Days	No. of hours worked with remarks	**Signature of Register Keeper
1	2	3	4	5	6	7

* In case of Mines only (Underground/Opencast/Surface).

In case an employee is not present the following to be entered : (R for Rest/L for Paid Leave/A for absent/O for Weekly Off/C for Establishment closed).

** Not necessary in case of E Form maintenance.

FORM XVII

[See rule 78 (2) (a) & rule 78 (2) (e)]

REGISTER OF WAGES

Name and Address of Contractor..... Name and Address of Establishment in/under which contract is carried out.....

Name and location of the work..... Name and address of the Principal employer.....

LIN/Registration No. LIN/Registration No.

Wage period from.....to(Monthly/Fortnightly/Weekly/Daily/Piece Rated)

	Highly Skilled	Skilled	Unskilled
Minimum Basic			
DA Overtime			
Overtime			

S. No. in Employee register	Name	Rate of Wage	No. of days worked	Overtime hours worked	Basic	Special Basic	DA	Payments Overtime	HRA	*Others	Total
1	2	3	4	5	6	7	8	9	10	11	12

Deduction								Net Payment	Employer Share PF Welfare Fund	Receipt by Employee/ Bank Transaction ID	Date of payment	Remarks
PF	ESIC	Society	Income Tax	Insurance	Others	Reco- veries	Total					
13	14	15	16	17	18	19	20	21	22	23	24	25

*In case of Mines Act any Leave Wages paid should be shown in the Others Column and specifically mentioned in the Remarks column also.

FORM XX

[See rule 78 (2) (d)]

REGISTER FOR DAMAGE/LOSS/FINE/ADVANCE/LOANS

Name and Address of Contractor.....

Name and Address of Establishment in/under which contract is carried out.....

Name and location of the work.....

Name and address of the Principal employer.....

LIN/Registration No.

LIN/Registration No.

S. No. in Employee register	Name	Recovery type (damage/ loss/ fine/ advance/ loans)	Particulars	Date of damage/ loss*	Amount	Whether show cause issued*	Explanation heard in presence of*	No. of Installments	First Month/ year	Last Month/ year	Date of complete Recovery	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13

*Applicable only in case of damage/loss/fine.

EXTRAORDINARY

REGD. NO. JK—33



**THE
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Vol. 131] Srinagar, Sat., the 26th May, 2018/5th Jyai., 1940. [No. 8-1

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART II—B

Notifications, Notices and Orders by Heads of Departments.

OFFICE OF THE VICE-CHAIRMAN, JAMMU DEVELOPMENT
AUTHORITY, VIKAS BHAWAN, RAIL HEAD COMPLEX, JAMMU.

Notification No. VC/PS/2018/251

Dated 26-05-2018.

Subject :— Delegation of powers under section 47 of J&K Development
Act, 1970.

Reference :—Minutes of the 80th Board of Directors meeting of JDA
held on 16th April, 2018.

As approved by the authority in its 80th meeting of Board of
Directors of JDA held on 16th April, 2018 at Jammu following powers

under section 47 of J&K Development Act have been delegated to the officers/officials of the Authority :—

S. No.	Powers delegated in exercise of Section of the l&K Development Act, 1970	Designated Officers
1.	Section 23 :—	(i) Vice-Chairman, JDA ;
	Power of entry :—	(ii) Director, Land Management, JDA ;
	The Authority may authorise any person to enter into or upon any land or building with or without assistants or workmen for the purpose of :—	(iii) Collector Land Acquisition, JDA ;
	(a) making any enquiry, inspection, measurement or survey or taking levels of such land or building ;	(iv) Chief Khilafwarzi Officer, JDA, Khilafwarzi Officer, JDA ;
	(b) examining work under construction and ascertaining the course of sewers and drains ;	(v) Executive Engineer, JDA ;
	(c) digging or boring into the sub-soil ;	(vi) Tehsildar, JDA ;
	(d) setting out boundaries lines of work ;	(vii) Naib-Tehsildar, JDA ;
	(e) making such levels, boundaries and lines by placing marks and cutting trenches ;	(viii) Senior Town Planner, JDA ;
	(f) ascertaining whether any land is being or has been developed	(ix) Any other official as authorized by Vice-Chairman, JDA.

in contravention of the master plan or zonal plan or without the permission referred to in section 13 or in contravention of any condition subject to which such permission has been granted ; or

- (g) doing any other thing necessary for the efficient administration of this Act ;

Provided that :—

- (i) no such entry shall be made except between the hours of sunrise and sunset without giving reasonable notice to the occupier, or if there be no occupier, to the owner of the land or building ;
- (ii) sufficient opportunity shall in every instance be given to enable women (if any) to withdraw from such land or building ;
- (iii) due regard shall always, be had, so far as may be compatible with the exigencies of the purpose for which the entry is made to the social and religious usage's of the occupants of the land or building entered.

2 Section 24 :—

- (i) Vice-Chairman, JDA ;

Penalties :—

- (1) Any person who whether at his own instance or at the

instance of any other person or anybody undertakes or carries out development in contravention of the zonal plan or without the permission, referred to in section 13 or in contravention of any condition subject to which such permission, has been granted, shall be punishable with fine which may extend to Rs. 5000/- and in the case of continuing offence, with further fine which may extend to Rs. 200/- for everyday during which such offence continues after conviction for the first commission of the offence.

- (2) Any person who uses any land or building in contravention of the provision of section 15 or in contravention of any terms and conditions prescribed by regulations under the proviso to that section shall be punishable with fine which may extend to three thousand rupees, and in the case of a continuing offence, with further fine which may extend to one hundred and fifty rupees for everyday during which such offence continues after conviction for first commission of the offence.
- (3) Any person who obstructs the entry of a person authorised under section 23 to enter into

or upon any land or building
or molests such person after
such entry shall be punishable
with imprisonment for a term
which may extent to one
thousand rupees, or with both.

3. **Section 25 :—**

**Order of demolition of
building :—**

(1) Where any development has
been commenced or is being
carried on or has been
completed in contravention of
a zonal plan or within the
permission, referred to in
section13, or in contravention
subject to which such
permission has been granted,
any officer of the Authority
empowered by it in this
behalf may, in addition to any
prosecution that may be
instituted under this Act, make
an order directing that such
development shall be removed
by demolition, filling or
otherwise by the owner
thereof or by the person
at whose instance the
development has been
commenced or is being
carried out or has been
completed, within such period
(not been less than five days,
and more than fifteen days
from the date on which a copy
of the order of removal, with
at brief statement of the

(i) Director, Land Management,
JDA ;

(ii) Collector, Land Acquisition,
JDA ;

(iii) Tehsildar, JDA ;

(iv) Chief Khilafwarzi Officer, JDA.

reasons therefor has been delivered to the owner or that person) as may be specified in the order and on his failure to comply with the order, the officer of the Authority may remove or cause to be removed the development and the expenses of such removal shall be recovered from the owner or the person at whose instance the development was commenced or was being carried out or was completed, as arrears of land revenue :

Provided that no such order shall be made unless the owner or the person concerned has been given a reasonable opportunity to show cause why the order should not be made.

- (2) Any person aggrieved by an order under sub-section (I) may appeal to the Government against that order within thirty days from the date thereof, and the Government may, after hearing the parties to the appeal, either allow or dismiss the appeal or may reverse or vary any part of the order.
- (3) The decision of the Government on the appeal and subject only to the such decision the order under sub- section (I), shall be final

and shall not be questioned in
any court.

4. **Section 26 :—**

Power to stop development :—

- (1) Where any development in a
any area has been commenced
in contravention of a
zonal plan, or without the
permission, referred to in
section 13 or in contravention
of any conditions subject to
which such permission has
been granted, the Authority
empowered by if in this behalf
may, in addition to any
prosecution that may be
instituted under this Act and
without prejudice to the
provisions of section 25,
make an order requiring
the development to be
discontinued on and from the
date of the service of the
order, and such order shall be
complied with accordingly.
 - (2) Where such development
is not discontinued in
pursuance of the order under
sub-section (1), the Authority
or the officer of the Authority
or the competent authority, as
the case may be, may require
any police officer to
remove the person by whom
the development has been
commenced and all his
- (i) Director, Land Management,
JDA ;
 - (ii) Tehsildar, JDA ;
 - (iii) Chief Khilafwarzi Officer, JDA.

assistants and workmen from the place of development, within such time as may be specified in the requisition, and such police officer shall comply with the requisition accordingly.

- (3) After the requisition under sub-section (2) has been complied with, the Authority or the officer or the Authority as the case may be, may depute by a written order a police or an officer or employee of the Authority to watch the place in order to ensure that the development is not continued.
- (4) Any person failing to comply with an order under sub-section (I) shall be punishable with fine which may extend to two hundred rupees for everyday during which the non-compliance continues after the service of the order.
- (5) No compensation shall be claimable by any person for any damage which he may sustain in consequence of the removal of any development under section 25 or the discontinuance of the development under this section.

5. **Section 29 :—**

Vice-Chairman, JDA

Composition of offences :—

- (1) Any offence made punishable by or under this Act, may, either before or after the institution of proceedings, be compounded by the Authority or any person authorised by the Authority by general or special order in this behalf.
- (2) Where an offence has been compounded, the offender, if in custody, shall be discharged and no further proceedings shall be taken against him in respect of the offence compounded.

Section 31 :—

Vice-Chairman, JDA

Power of Authority to require local authority to assume responsibility for amenities in certain cases :—

Where any area has been development by the Authority, the Authority may require the local authority or a department of the Government within whose local limits the area so developed is situated, to assume responsibility for the maintenance of the amenities which have not been provided of the amenities which in its opinion should be provided in the area, on terms, and

conditions agreed upon between the Authority and that local authority or the department as the case may be.

Section 32 :—

Vice-Chairman, JDA

Power of levy betterment charges :—

- (1) Where in the opinion of the authority as a consequence of and development having been in any zone, the value of any property in that zone or executed by the Authority in any area other than the zone, which has been benefited by the development, has increased or will increase, the Authority shall be entitled to levy upon the owner of the property or any person having an interest therein a betterment charge in respect of the increase in value of the property resulting from the execution of the development :

Provided that no betterment charge shall be levied in respect of lands owned by Government or any local authority.

- (2) **such betterment change shall be an amount :—**

- (i) in respect of any property situated in a zone

equal to one-third of the amount ; and

- (ii) in respect of property situated in any other area, not exceeding one-third of the amount.

By which the value of the property on the completion of the execution of the development estimated as if the property were clear of buildings, exceeds the value of the property prior to such execution estimated in like manner :

Provided that in levying betterment charges on any property under clause (ii) the Authority shall have regard to the extent and nature of benefit accruing to property from the development and such other factors as may be prescribed by rules made in this behalf.

Section 33 :—

Vice-Chairman, JDA

Assessment of betterment of charge by Authority :—

- (1) When it appears to the Authority that any particular development plan is sufficiently advanced to

enable the amount of the betterment charge to be determined, the Authority may, by an order made in this behalf, declare that for the purpose of determining the betterment charge the execution of the plan shall be deemed to have been completed and shall there upon given notice in writing to the owner of the property or any person having an interest therein that for the Authority proposes to assess the amount of the betterment charge in respect to the property under section 32.

- (2) The Authority shall then assess the amount of betterment charges payable by the person concerned after given such person an opportunity to be heard and such person shall, within three months from the date of receipt of the notice in writing of such assessment from the Authority, inform the Authority by a declaration in writing that he accepts the assessment or dissents from it.
- (3) When the assessment proposed by the Authority is accepted by the person concerned within the period specified in sub-section (2) such assessment shall be final.

- (4) If the person concerned dissents from the assessment or fails to give the authority the information required by sub-section (2) within the period specified the matter shall be determined by an arbitrator in the manner provided in section 34.

Section 36 :—

Vice-Chairman, JDA

Mode of recovery of moneys due to Authority :—

Any money due to the authority on account of fees or charge, or from the disposal of lands, buildings or other properties, movable or immovable, or by way or rents and profits may, if the recovery thereof is not expressly provided for in any other provision of this Act, be recovered by the Authority as arrears of land revenue.

Section 38 :—

Vice-Chairman, JDA

Returns and information :—

- (1) The Authority shall furnish to the Government such reports, returns and other information as the Government may from time to time require.
- (2) Without prejudice to the provision of sub-section (1) the Government or any officer

authorized by the Government in this behalf may call for reports, returns and other information from the Authority in regard to the implementation of the master plan or the zonal plan.

- (3) Any person authorised by the Government or the officer referred to in sub-section (2) may enter into or upon any land with or without assistants or workmen for ascertaining whether the provisions of the master plan or the zonal plan are being or have been implemented, or whether the development is being or has been carried out in accordance with such plan.
- (4) No such entry shall be made except between the hours of sunrise and sunset and without giving reasonable notice to the occupier, or if there be no occupier, to the owner of the land or building.

(Sd.) RAJESH KUMAR SHAVAN (KAS),

Vice-Chairman,
Jammu Development Authority,
Jammu.

EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 131] Srinagar, Fri., the 11th May, 2018/21st Vai., 1940. [No. 6-11

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART II—B

Notifications, Notices and Orders by Heads of Departments.

GOVERNMENT OF JAMMU AND KASHMIR,
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
SRINAGAR/JAMMU.

File No. 357/ITLC

D. O. I. : 20-03-2017

D. O. A. : 21-12-2017

Rajesh Sharma S/o Vaid Nath.

(Petitioner)

Versus

M/s. Uttam Gun Works Industrial Estate, Digiana, Jammu.

(Respondent)

In the Matter of :— Reference/SRO No. 74 under section 10 of Industrial
Disputes Act.

AWARD

1. This tribunal has received a reference by virtue of a notification dated 27th February, 2017 wherein SRO-74 was issued by the Government of J&K and referred the dispute to this tribunal for its adjudication.

2. Both the parties to the petition have compromised. The petitioner has stated that he has settled his case with the respondent and there is no issue between them regarding the matter pending in the court.

3. After this settlement workman/petitioner has left with no of his claims/dues towards the management.

4. Consequence to the compromise arrived between the parties. There is no need to proceed with the case. As such the case of the petitioner is deposed off accordingly.

Statement

Statement of Petitioner Rajesh Sharma S/o Vaid Nath R/o Sanjay Nagar, H. No. 57, Sector 1, Jammu. Stated on oath on 21-12-2017 at Jammu.

It is stated that he has settled his case with the respondent and there is no issue between them regarding the matter pending in the Court.

ROAC

Statement of Ld. Counsel Sahil Chowdhary J&K High Court, Jammu. He has identified that Rajesh Sharma S/o Vaid Nath R/o Sanjay Nagar, H. No. 57, Sector 1, Jammu is my client.

ROAC

8. Copy of the award be sent to the concerned authorities for necessary action.

9. File shall go to record.

Announced :

Dated 21-12-2017.

(Sd.) NIGHAT SULTANA,

District and Sessions Judge
(Presiding Officer),
Industrial Tribunal/Labour Court,
J&K, Srinagar/Jammu.

EXTRAORDINARY

REGD. NO. JK—33

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS
(Power Section)

Notification

Jammu, the 10th of April, 2018.

SRO-163.—In exercise of powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, Samvat 1989, the Government hereby appoint the following Officers to be the Executive Magistrate of the First Class who shall exercise all the powers of an Executive Magistrate of the First Class within their respective territorial jurisdictions of District Kathua :—

S. No.	Name of the Officer	Designation and Place of Posting
	S/Shri	
1.	Lal Chand	Look after Naib-Tehsildar, Additional Deputy Commissioner Office, Billawar.
2.	Satish Kumar Sharma	Look after Naib-Tehsildar, Chadwal.

(Sd.) ABDUL MAJID BHAT,

Secretary to Government,
Department of Law, Justice and Parliamentary Affairs.



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 131] Srinagar, Wed., the 11th April, 2018/21st Chai., 1940. [No. 1-d

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—INDUSTRIES AND COMMERCE
DEPARTMENT

Notification

Jammu, the 11th April, 2018.

SRO-164.—In exercise of the powers conferred by section 15 read with section 23 C of the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act 67 of 1957), and in supersession of Notification SRO-161 dated 6th April, 2018, the Government hereby direct that in rule 104-A of the Jammu and Kashmir Minor Mineral Concession, Storage,

Transportation of Minerals and Prevention of Illegal Mining Rules, 2016, shall be substituted by the following rule, namely :—

“104-A. Transitory Provision.—As a transitory measure Rule 104-A is extended up to 30th June, 2018 in favour of the successful bidders having approved mining plans, ancestrally occupied quarry belts/clusters and for emergent nature works/projects of Central and State Government to lift and transport minor minerals on royalty basis in order to ensure uninterrupted supply of minor minerals to the consumers”.

By order of the Government of Jammu and Kashmir.

(Sd.) SHAILENDRA KUMAR, IAS,

Principal Secretary to Government.
Industries and Commerce Department.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS
(Power Section)

Notification

Jammu, the 12th of April, 2018.

SRO-167.—In exercise of powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, Samvat 1989, the Government hereby appoint Shri Romesh Chand, look after Naib-Tehsildar in Nial Saran, Tehsil Samba to be the Executive Magistrate of the First Class who shall exercise all the powers of an Executive Magistrate of the First Class within the territorial jurisdiction of District Samba.

By order of the Government of Jammu and Kashmir.

(Sd.) ABDUL MAJID BHAT,

Secretary to Government,
Department of Law, Justice and Parliamentary Affairs.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS
(Power Section)

Notification

Jammu, the 12th April, 2018.

SRO-168.—In exercise of powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, Samvat 1989, the Government hereby appoint the following officers to be the Executive Magistrates of the First Class who shall exercise all the powers of an Executive Magistrate of the First Class within their respective territorial jurisdiction of District Jammu :—

S. No.	Name of the Office	Designation and place of posting
	S/Shri	
1	Shoukat Hussain	Naib-Tehsildar, R. S. Pura.
2	Ram Saran	Naib-Tehsildar, Badyal Barhamna.
3	Mohd. Haneef	Naib-Tehsildar, Miran Sahib.
4	S. Narinder Singh	Naib-Tehsildar, Maralian.
5	Bodh Raj	Naib-Tehsildar, Khour.
6	Dev Raj	Naib-Tehsildar, Pargwal.

By order of the Government of Jammu and Kashmir.

(Sd.) ABDUL MAJID BHAT,

Secretary to Government,
Department of Law, Justice and Parliamentary Affairs.

EXTRAORDINARY

REGD. NO. JK—33

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Notification

Jammu, the 12th April, 2018.

SRO-169.—In notification SRO-63 dated 05-02-2018 read with Notification SRO-122 dated 05-03-2018 in proviso to clause 5.1, the figure, word and sign “15th April, 2018” shall be substituted by figure, word and sign “23rd April, 2018”.

By order of the Government of Jammu and Kashmir.

(Sd.) NAVIN K. CHOUDHARY, IAS,

Principal Secretary to Government,
Finance Department.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Notification

Jammu, the 12th April, 2018.

SRO-170.—In notification SRO-519 dated 21-12-2017 read with Notification SRO-119 dated 05-03-2018 in proviso to clause 5.1, the figure, word and sign “15th April, 2018” shall be substituted by figure, word and sign “23rd April, 2018”.

By order of the Government of Jammu and Kashmir.

(Sd.) NAVIN K. CHOUDHARY, IAS,

Principal Secretary to Government,
Finance Department.

EXTRAORDINARY

REGD. NO. JK—33

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Notification

Jammu, the 12th April, 2018.

SRO-171.—In notification SRO-521 dated 21-12-2017 read with Notification SRO-121 dated 05-03-2018 in proviso to clause 5.1, the figure, word and sign “15th April, 2018” shall be substituted by figure, word and sign “23rd April, 2018”.

By order of the Government of Jammu and Kashmir.

(Sd.) NAVIN K. CHOUDHARY, IAS,

Principal Secretary to Government,
Finance Department.

EXTRAORDINARY

REGD. NO. JK—33

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS

Notification

Jammu, the 12th of April, 2018.

SRO-172.—In exercise of the powers conferred by sub-section (1) of section 492 of the Code of Criminal Procedure, Samvat, 1989, the Government hereby appoint Shri S. Bhopinder Singh, Chief Prosecuting Officer, Crime Branch, Jammu and Shri Harminder Singh, Chief Prosecuting Officer, Samba as Special Public Prosecutors to conduct the case titled State Vs. Sanji Ram and others and State Vs Shubam Sangra under FIR No. 10/2018 involving offences punishable under section(s) 302, 376-D, 363, 343, 120-B, 201 RPC P/S Hiranagar which is pending disposal before the Principal Sessions Judge/Court of Chief Judicial Magistrate, Kathua.

By order of the Government of Jammu and Kashmir.

(Sd.) ABDUL MAJID BHAT,

Secretary to Government,
Department of Law, Justice and Parliamentary Affairs.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—REVENUE DEPARTMENT

Notification

Jammu, the 16th April, 2018.

SRO-173.—In exercise of the powers conferred by clause (b) of section 3 of the Jammu and Kashmir Grant of Permanent Resident Certificate (Procedure) Act, 1963 (Act No. XIII of 1963), and in supercession of all previous notifications issued in this behalf, the Government hereby appoint Shri Ashok Kumar Sharma, (KAS), Addl. Deputy Commissioner, Kathua to be the competent authority for the purposes of the said Act within the territorial jurisdiction of Tehsil Kathua of District Kathua.

By order of the Government of Jammu and Kashmir.

(Sd.) SHAHID ANAYATULLAH, IAS,

Commissioner/Secretary to Government,
Revenue Department.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—HOUSING AND URBAN DEVELOPMENT
DEPARTMENT

Notification

Jammu, the 17th April, 2018.

SRO-175.—In exercise of the powers conferred by sub-section (2) of Section 4 of the Jammu and Kashmir Development Act, 1970, (Act No. XIX of 1970), read with notification SRO-281 dated 24th August, 2015, the Government hereby extend the term of the Office of Members of Lakes and Waterways Development Authority constituted vide notification SRO-109 dated 27-03-1997 for a further period of two years w. e. f. 28-03-2017.

By order of the Government of Jammu and Kashmir.

(Sd.) K. B. AGARWAL, IAS,

Financial Commissioner,
Housing and Urban Development Department.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS
(Power Section)

Notification

Jammu, the 18th of April, 2018.

SRO-176.—In exercise of powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, Samvat 1989, the Government hereby appoint Shri Bharat Bhushan Sharma, L/A, Naib-Tehsildar, Saroor, Tehsil Drabshalla to be the Executive Magistrate of the First Class who shall exercise all the powers of an Executive Magistrate of the First Class within his respective territorial jurisdiction of District Kishtwar.

By order of the Government of Jammu and Kashmir.

(Sd.) ABDUL MAJID BHAT,

Secretary to Government,
Department of Law, Justice and Parliamentary Affairs.



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

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separate compilation.

PART I-B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS
(Power Section)

Notification

Jammu, the 16th April, 2018.

SRO-177.—In exercise of powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, Samvat 1989, the Government hereby appoint the following officers to be the Executive Magistrates of the First Class who shall exercise all the powers of an Executive

Magistrate of the First Class within their respective territorial jurisdiction shown against each in District Anantnag :—

S. No.	Name of the Officer	Designation and place of posting
1	2	3
1.	S/Shri Mozam Ali, KAS	District Social Welfare Officer, Anantnag.
2.	Hilal Ahmad, KAS	District Panchayat Officer, Anantnag.
3.	Mohd Shafi Zulfkar	District Officer, Geology and Mining, Anantnag.
4.	Mohmmad Saleem Rather	District Agriculture Officer, Anantnag.
5.	Umer Gulzar, KAS	Functional Manager, DIC, Anantnag.
6.	Zubair Ahmad Bhat, KAS	Functional Manager, DIC, Anantnag.
7.	Bashir Ahmad Bhat	Block Development Officer, Achabal.
8.	Suhaib Naikoo, KAS	Block Development Officer, Larnoo.
9.	Mohd. Shafi	Block Development Officer, Qazigund/Vessu.
10.	Mohd. Hussain, KAS	Block Development Officer, Shahabad.
11.	Murtaza Ahmad, Jr. KAS	Assistant Labour Commissioner.
12.	Abdul Hamid	CTO-I, Anantnag.

1	2	3
13.	Mushtaq Ahmad Lone, KAS	CTO-II, Anantnag.
14.	Zaffar Ahmad Najar	AEO, Salia.
15.	Shabir Ahmad	I/c AEO, Wuller Hama.
16.	Abid Ali Khan	AEO, Aishmuqam.
17.	Mohd. Altaf Ganie	HDO, Kokernag.
18.	Ishfaq Ahmad Want	HDO, Shangus.
19.	Mohd Shafi Malik	AEE, Irrigation Div., Anantnag.
20.	Fayaz Ahmad	AEE, PDD, Achabal.
21.	Ab. Rashid Rah	AEE, R&B Div./Khanabal
22.	Mohammad Ayoub	AEE, PHE, Anantnag.
23.	Mohd. Syed	AEE, FC Div., Anantnag.
24.	Manzoor Ahmad Khan (Promoted)	Naib-Tehsildar, Wandevalgam.
25.	Sheeraz Ahmad Khan (Promoted)	Naib-Tehsildar, Qammer.

By order of the Government of Jammu and Kashmir.

(Sd.) ABDUL MAJID BHAT,

Secretary to Government,
Department of Law, Justice and Parliamentary Affairs.

EXTRAORDINARY

REGD. NO. JK—33

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Notification

Jammu, the 18th April, 2018.

SRO-179.—In exercise of the powers conferred by section 5 of the Jammu and Kashmir Levy of Tolls Act Samvat 1995, (Act No. VIII of 1995), the Government hereby exempt from payment of levy of tolls leviable under the said Act, marble measuring 50,000 Sq. feet to be imported into the State from Kishen Garh (Rajasthan) by Shri Dhudhadhari Barfani Ashram, Jammu for the use in Temples of Shri Dhudhadhari Barfani Ashram located at Jammu, Udhampur, Rajouri, Akhnoor and Dabhab subject to the condition that the Trustee Shri Raghvender Sewa Trust, Jammu certifies that the marble so imported is exclusively meant for the aforesaid purpose and no benefit percolates to the supplier.

By order of the Government of Jammu and Kashmir.

(Sd.) NAVIN K. CHOUDHARY, IAS,

Principal Secretary to Government,
Finance Department.

EXTRAORDINARY

REGD. NO. JK—33

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS
(Judicial Administration Section)

Notification

Jammu, the 18th of April, 2018.

SRO-180.—In exercise of the powers conferred by sub-section (1) of section 492 of the Code of Criminal Procedure, Samvat, 1989 and in supersession of notification SRO-55 dated 01-02-2018, the Government hereby appoint Shri Ishfaq Bukhari, Advocate as Additional Public Prosecutor for the Court of Additional District and Sessions Judge, Rajouri for a period of one year on terms and conditions as laid down in Government Order No. 1907-LD (A) of 2015 dated 22-06-2015.

By order of the Government of Jammu and Kashmir.

(Sd.) ABDUL MAJID BHAT,

Secretary to Government,
Department of Law, Justice and Parliamentary Affairs.

EXTRAORDINARY

REGD. NO. JK—33

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Notification

Jammu, the 18th April, 2018.

SRO-181.—In exercise of the powers conferred by section 5 of the Jammu and Kashmir Levy of Tolls Act, Samvat. 1995, (Act No. VIII of 1995), the Government hereby exempt from payment of levy of tolls leviable under the said Act, the logistics like film gear, art properties, make up material, costumes, super-silent generators, vanity-vans, honey-wagons etc. for use in film shooting in Srinagar to be imported into the State on returnable basis by Vinod Chopra Productions subject to the condition that no tax benefit percolates to the supplier. The said production houses shall convey the vehicle numbers carrying the inventories to the department in advance.

By order of the Government of Jammu and Kashmir.

(Sd.) NAVIN K. CHOUDHARY, IAS,

Principal Secretary to Government,
Finance Department.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Notification

Jammu, the 18th April, 2018.

SRO-182.—In exercise of the powers, conferred by section 5 of the Jammu and Kashmir Levy of Tolls Act, Samvat 1995, (Act No. VIII of 1995), the Government hereby exempt from payment of levy of Toll leviable under the said Act for the black soil to be imported into the State from Haryana by Mayank Goswami Cricket Academy with the condition that the owner certifies that the soil so imported is exclusively meant for preparing cricket pitches for the academy.

By order of the Government of Jammu and Kashmir.

(Sd.) NAVIN K. CHOUDHARY, IAS,

Principal Secretary to Government,
Finance Department.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS
(Judicial Administration Section)

Notification

Jammu, the 19th of April, 2018.

SRO-183.—In exercise of the powers conferred by sub-section (1) of section 492 of the Code of Criminal Procedure, Samvat, 1989, notification SRO-180 dated 18-04-2018 regarding appointment of Shri Ishfaq Bukhari, Advocate as Additional Public Prosecutor for the Court of Additional District and Sessions Judge, Rajouri is rescinded ab-initio.

By order of the Government of Jammu and Kashmir.

(Sd.) ABDUL MAJID BHAT,

Secretary to Government,
Department of Law, Justice and Parliamentary Affairs.



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

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Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART I-B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Notification

Jammu, the 19th April, 2018.

SRO-184.—In exercise of powers conferred by section 174 of the J&K Goods and Service Tax Act, 2017, the Government in order to clear the liability of balance amount of advance entry tax paid in terms of Notification SRO-270 dated 01-09-2009 in respect of M/s. Reliance Jio Infocomm Ltd., Jammu, as on 07-07-2017, the Government of Jammu and Kashmir hereby prescribe the following mechanism for reimbursement/ refund :—

1. The dealer shall apply before the Jurisdictional Assessing Authority within 15 days of filing of return under the Jammu

and Kashmir Goods and Service Tax Act, 2017 along with tax.

2. The amount of State Goods and Service Tax so deposited shall be reimbursed/refunded by debit to the balance of Advance Entry Tax lying at the credit of dealer as on 07-07- 2017.
3. The amount of refund due for each month shall be equivalent to the amount paid in cash by the dealer against return filed under Jammu and Kashmir Goods and Service Tax Act, 2017 for that particular month. The assessing authority after examining the claim shall refund to the dealer the amount equivalent to the payment made in cash by the dealer against Jammu and Kashmir Goods and Service Tax Act, 2017 for that particular month.
4. The Jurisdictional Assessing Authority shall maintain a ledger for the said purpose and the order of refund/reimbursement shall be passed within 15 days of the receipt of application filed by the dealer.
5. The Government shall provide for the budget separately for the said purpose with the Department of Commercial Taxes.
6. No interest shall accrue on the delayed issue of refund/reimbursement.
7. In case the dealer closes his business, the balance lying in the ledger maintained by the Jurisdictional Assessment Authority shall lapse to the Government and dealer shall not be entitled to any reimbursement/refund of the said amount.
8. The Jurisdictional Assessing Authority shall ensure that there is no liability outstanding against the dealer on the date of sanction refund/reimbursement.
9. The Jurisdictional Assessing Authority after examination of the application shall sanction the refund/reimbursement equivalent to the SGST deposited by the dealer after adjustment of Input

Tax Credit paid by him against return filed under the Jammu and Kashmir GST Act, 2017 for that particular month and forward the same to the Addl. Commissioner, Commercial Taxes (Adm.) of the division within five days for payment by credit to the bank account of the dealer.

10. The Additional Commissioner, Commercial Taxes shall also keep a record of the amounts credited into the account of the dealer on monthly basis.

By order of the Government of Jammu and Kashmir.

(Sd.) NAVIN K. CHOUDHARY, IAS,
Principal Secretary to Government,
Finance Department.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—SOCIAL WELFARE DEPARTMENT

Notification

Jammu, the 19th April, 2018.

SRO-185.—In exercise of the powers conferred under sub-section (2), (b & c) of section 3 of the Jammu and Kashmir State Commission for Backward Classes Act, 1997 read with Jammu and Kashmir State Commission for Backward Classes (Amendment) Act, 2016, the Government hereby nominate the following persons as Members in the Jammu and Kashmir State Commission for Backward Classes, for a period of 5 years from the date they assume the office :—

S. No. Name of the member

-
1. Professor Retd. Virender Gupta R/o Jammu.
 2. Advocate Onkar Seth R/o Channi Himmat, Jammu

By order of the Government of Jammu and Kashmir.

(Sd.) BABU RAM, KAS,

Additional Secretary to the Government,
Social Welfare Department.



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 131] Srinagar, Mon., the 23rd April, 2018/3rd Vai., 1940. [No. 3-d

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART I-B

Jammu and Kashmir Government—Notifications.

**GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—LADAKH AFFAIRS DEPARTMENT**

Notification

Jammu, the 23rd April, 2018.

SRO-186.—Whereas, the Government vide Notification SRO-186 dated 23-04-2018 has called upon the 14-Thiksay constituencies to elect the new councilor for conduct of Bye-Election, LAHDC, Leh.

Now, therefore, in pursuance of Rule 12 of the Ladakh Autonomous Hill Development Council (Election) Rules, 1995, the Government hereby fix the following dates/time for purpose of the said rule :—

- | | |
|-------------------------------------------|------------|
| 1. Date from which nomination can be made | 01-05-2018 |
| 2. Last date for filing nominations | 15-05-2018 |

- | | |
|----------------------------------------------------------|------------|
| 3. Date for scrutiny of nominations | 16-05-2018 |
| 4. Last date for withdrawal of nominations | 18-05-2018 |
| 5. Date on which Poll shall, if necessary,
be taken | 04-06-2018 |
| 6. Date of Counting | 07-06-2018 |
| 7. Date before which the election shall be
completed. | 10-06-2018 |

By order of the Government of Jammu and Kashmir.

(Sd.)

Secretary to Government,
Ladakh Affairs Department.